



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, June 17, 2025

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 25-284** Ratifying the Appealed Special Tax Assessment for property at 245 and 247 AURORA AVENUE. (File No. J2522R, Assessment No. 258555)

Sponsors: Bowie

Approve the assessment.

Aimeng Chen, owner, appeared

Moermond: have you understood instructions as I've talked to people on the phone?

Chen: yes.

Moermond: if at any point you aren't sure, please ask us to slow down and clarify.

Staff report by Supervisor Lisa Martin: March 7, 2025 Summary Abatement Order was issued to remove and dispose of box spring, auto parts, tires, scattered trash and debris from garage, driveway and around yard. Compliance date of April 3. Reinspected April 3, work wasn't done and it was sent to work order. Total assessment of \$444. No history at the property.

Chen: I didn't get the orders. They would send me the photo to my house. I didn't get it. My house has a lot of unsheltered people and my tenants talk to me every day. I can you show a photo, every day my tenants say people throw trash in my container. I try to clean it out. When I see it I stop by every week and clean it up. Every month my trash bill is extra because of the extra items. I don't complain, I try to help the City clean things up. This time I didn't see the letter.

Moermond: the letter was sent 3 places.

Chen: I don't live there anymore

Moermond: second one is in Eden Prairie.

Chen: that's where I live.

Moermond: the last is to occupant.

Chen: he didn't say anything. When I get the letters I always text the tenant about it and then stop by to check it out. It is a long-term problem.

Moermond: this was car parts, is that homeless? Mai Vang sent you an email with this information.

Chen: I'm not good with email. Usually, my wife reads the letters for me.

Martin: there is a large history here. Problems with illegal auto repair at the property for quite some time. Also, lots of calls for St. Paul Police Department for vehicles blocking the alley.

Moermond: certainly, these auto parts don't look like something homeless would leave, and hearing you have a history of illegal car repair—

Chen: I send the tenant the message. I've seen this photo before. The tenant tells me it isn't them.

Moermond: as the owner it is still your job to make sure it is taken care of. If you have an agreement with the tenant that they're to take care of it, that's a personal contract the City won't enforce. You'd want to seek money from them if that's who was at fault under your lease. For me, today, the work wasn't done. I'm sorry that's not the outcome you came for.

Chen: now I know. It won't happen next time. I do clean out the street there all the time. I know the homeless cause a lot of problems and people call the St. Paul Police Department a lot. I don't want that to happen. I don't want to cause problems for the City.

Moermond: sounds like your tenants make problems for the neighborhood though.

Chen: right now, it is ok. The prior tenants lived there 3 to 4 years; they were the problem. We've had new tenants for a year now. I stop by to check on the trash too.

Moermond: I'm recommending approval of the assessment. If you want to look for a different outcome it would be going to Council. We'll send you an email.

Referred to the City Council due back on 7/23/2025

2 RLH TA 25-277 Ratifying the Appealed Special Tax Assessment for property at 80 COTTAGE AVENUE WEST. (File No. J2510B, Assessment No. 258109)

Sponsors: Kim

Approve and make payable over 2 years.

Soe Doh, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: this was for an emergency boarding called out

by St. Paul Fire Department January 11 at 9:04 am for a fire at the property. This was the fee for boarding and putting up safety fencing to keep secure. No returned mail. Total assessment of \$714. This is a Category 1 Vacant Building commercial building, it looks like a total loss. Demo permit is pending for removal of the building.

Moermond: the emergency boarding fee is the call out fee? No boards applied to the building? Simply the crew got called to fence the area?

Martin: correct.

Doh: January 11 my building was set on fire and yes, there was an emergency boarding, but a few months later—this or last months—I saw the City grabbing cardboard and 2 posts. They just dropped it off like that. They didn't board or do anything. If this is a fee for January 11, I'm ok with it. But if it is for the second action dropping off 3 boards and 2 posts, which they didn't do anything with, then I am against it. Is this regarding January 11th?

Moermond: this is from January 11th. The day of the fire.

Doh: I am ok with that. I have no issue with that. If it was the action after the fact with 3 boards and 2 posts in front of the garage, no one did anything as far as boarding. I don't accept that.

Moermond: I don't know anything about that. It is just the January 11th fencing. Sounds like you're ok with that, so I will recommend the Council approves it. Would it be useful to make this payable over a couple of years?

Doh: that's fine, I'd appreciate that.

Moermond: I'll recommend that is made payable over 2 years.

Referred to the City Council due back on 7/16/2025

3 RLH TA 25-278 Ratifying the Appealed Special Tax Assessment for property at 610 EDMUND AVENUE. (File No. J2522R, Assessment No. 258555)

Sponsors: Bowie

Delete the assessment.

Pat Ware, o/b/o owner David Busch, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued March 18, 2025 to remove and dispose of a mattress from the rear of the property near garage. Inspector Xiong included the information to call Second Chance for mattress pickup. Another inspector went out the next day and issued new orders for the same thing. Rechecked on the 26th, mattress was still there. It was sent to work order. Total assessment of \$389 and no mail returned.

Ware: those things are true, 18th and 19th we got orders from Xiong and one from Ethan Wirtz and on the 24th—I went online and scheduled the mattress pickup. It was scheduled to be picked up the 25th. I called both Ethan and Victor and left messages telling them that. When I spoke to Mai she said that it was gone.

Moermond: they went out on the 26th and I don't know if that was before or after you talked to them. The inspector doing the recheck didn't take a photo, so as I review the record we have no documentation on the 26th it continued to exist. Based on that I would recommend deletion. For clarity, the other charge is a trip charge, not a cleanup. Without the photo on the recheck date I don't have documentation showing that even needed to be done. I'll recommend this is deleted.

Referred to the City Council due back on 7/23/2025

4 RLH TA 25-283 Ratifying the Appealed Special Tax Assessment for property at 821 and 823 EDMUND AVENUE. (File No. J2522R, Assessment No. 258555)

Sponsors: Bowie

Reduce assessment from \$389 to \$169 and continue CPH to October 1, 2025. If no same or similar violations, delete the assessment.

David Rodriguez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: March 17, 2025 a Summary Abatement Order was issued to owner and occupant to remove and dispose of the mirror debris and other debris by garage and entire property. Compliance was March 21. Reinspected March 21. The broken mirrors were still there by the garage side of alley. Photos taken and work order sent. The total assessment is \$389. No returned mail.

Rodriguez: I'm appealing because the mirrors were never picked up by a crew, I did it myself. They were placed for garbage disposal. That's the reason I'm appealing.

Moermond: that's what I see. The charge isn't for a cleanup because it was done when the crew got there, but they want to charge for the trip they made. So, it is a charge for the crew to come out.

Rodriguez: they were for my business, the mirrors. We were waiting for someone to bring them inside the garage because the person doing it hurt their back.

Martin: when we have broken glass and kids running around I see it as dangerous and should be taken care of sooner vs. later.

Rodriguez: it was by the dumpster for the garbage company to take. The ones by the garage weren't broken.

Moermond: it was done by you, but not done on deadline so they sent a crew to take care of it. They just want to charge you for the trip. Any history of problems at this property?

Martin: a few things, tall grass and weeds, which was in compliance. Summary Abatement order in 2019 for garbage.

Rodriguez: it was a different property; I spoke to the inspector. Prior to that it was a different landlord.

Moermond: no issues for a long time. I want to give you credit for that. I want to

decrease this down to \$169 now. Then if you can get to October 1, 2025 with no other violations I'll recommend the rest is deleted.

Rodriguez: sounds fine.

Referred to the City Council due back on 7/23/2025

- 5 RLH TA 25-279** Ratifying the Appealed Special Tax Assessment for property at 534 ST ALBANS STREET NORTH. (File No. J2519R, Assessment No. 258541)

Sponsors: Bowie

Layover to LH July 8th at 9 am (unable to reach PO). CPH July 9th.

Voicemail left at 9:56 am: this is Marcia Moermond from St. Paul City Council calling Tiffani Flynn Forslund about an assessment for 534 N. St. Albans. We'll try you back in just a little bit.

Voicemail left at 10:13 am: this is Marcia Moermond from St. Paul City Council calling Tiffany Flynn Forslund again about an appealed assessment for cleanup. The Council Public Hearing is July 9th, I'm going to reschedule this for July 8th between 9 and 10:30. That would be the last opportunity to be heard on this item.

Referred to the City Council due back on 7/9/2025

- 6 RLH TA 25-281** Ratifying the Appealed Special Tax Assessment for property at 1451 THOMAS AVENUE. (File No. J2519R, Assessment No. 258541)

Sponsors: Privratsky

Reduce assessment from \$389 to \$169 and continue CPH to October 1, 2025. If no same or similar violations, delete the assessment.

Jack Wilcox, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued February 5, 2025 to remove and dispose of grill, household grill and debris from rear yard. Compliance date February 11. Reinspected February 12, work order sent. When crew arrived it was taken care of by the owner. Total assessment of \$389.

Wilcox: I didn't know I had an assessment. I found the letter on the floor by my front door on the ground. I didn't know. I just didn't know; I took care of it immediately. My 3 sons live there. We're renovating it. Can you tell me about the costs?

Moermond: there were two sets of orders, sounds like things we were written up and that was taken care of. A second order was for a broken grill and household items in the back yard. In both cases the items were addressed. They just want to charge for the cost of sending the crew out since it wasn't done on deadline. You said the letter was on the ground?

Wilcox: yeah, in front of the front door. Do you only send a letter?

Moermond: yes, right now it is US Mail.

Martin: also no history at this property.

Wilcox: I take care of things immediately; I just didn't find it until it was too late.

Moermond: what are your plans for the property?

Wilcox: my sons go to U of M so they will live there. And we're upgrading as we go and renovating and doing upgrades.

Moermond: for today's assessment what I would like to do is reduce the \$389 down to \$169. If you have no other violations through October 1 I will recommend the rest is deleted entirely.

I was asking about your plans for the property just to make sure if you are having people who aren't owner occupants, which does include your sons unless their name is on it, or renting it to people who aren't you, you will need a Fire Certificate of Occupancy for that. We can send you a copy. Keep in mind some repairs do require permits, make sure you are covering yourself there.

Wife: our kids are in graduate school and plan to be there a long time. House is in our name, but if we transfer it to them we can avoid the Certificate of Occupancy? We aren't really renting to our sons; we stay there when we travel for work too.

Moermond: what I've seen people do is give a small percentage of ownership to sons. Doesn't have to be a lot, then you don't have to be in the Fire Certificate of Occupancy program. Then just be aware that it is no more than 6 unrelated adults.

Wilcox: not a problem there. We'll work on the ownership.

Referred to the City Council due back on 7/9/2025

7 RLH TA 25-282 Ratifying the Appealed Special Tax Assessment for property at 1240 VIRGINIA STREET. (File No. J2522R, Assessment No. 258555)

Sponsors: Kim

Reduce assessment from \$389 to \$169 and continue CPH to October 8, 2025. If no same or similar violations, delete the assessment.

Sophat Jecsi, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: March 4, 2025 a Summary Abatement Order was issued to remove and properly dispose of auto parts, broken furniture, cardboard and miscellaneous debris from the entire property, particularly around garage and alley. Compliance date of March 11. Rechecked March 11. Work was not done; work order was issued. April 9 Inspector Westenhofer met owner on site, explained violations and what needed to be removed from the property. David said he removed stuff from the alley and put it on the property. Charging trip fee because work crew was dispatched. Total assessment of \$389. No returned mail, no appeal filed, no real history on property.

Jecsi: I purchased in 2021 and when the items in the back in March—they aren't ours. They were dumped and didn't know what to do with them. That's why David moved it

behind the fence. They said once we did that it is our issue. We had to figure out where to dispose of them. My husband fixes cars and didn't know he couldn't put it along the garage. He's removed all of it now. We thought we'd taken care of it and didn't know we could just call the City and say someone dumped and the City would have picked it up. We had no idea about that.

Moermond: the main thing appears to be although it was taken care of it wasn't done by deadline, so they dispatched a crew. They want to charge you for sending the crew even though they didn't do a cleanup. I see you have a very good history; you spoke with Mr. Westenhofer well after the deadline. I'm going to recommend this is reduced to \$169. If there are no same or similar violations between now and October 8, 2025 I'll recommend deletion.

Jecsi: that would help tremendously.

Martin: it is your responsibility if it is dumped on your property, so still would receive orders. You do get 12 bulky items per year through the new hauling program. Contact them to schedule. You can also put a sign on it that says scheduled for pickup.

Referred to the City Council due back on 7/23/2025

8 RLH TA 25-285 Ratifying the Appealed Special Tax Assessment for property at 400 WESTERN AVENUE NORTH. (File No. J2522R, Assessment No. 258555)

Sponsors: Bowie

Reduce assessment from \$3,104 to \$2,354.

Alvin Blibee, property manager Sunlight Senior Living, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: March 21, 2025 a Summary Abatement Order was issued to remove and dispose of a fridge, couches, recliner, wood debris and all trash from rear of property by dumpsters and entire property.. Compliance date of March 28. Reinspected March 28. No calls from Responsible Party, no appeal filed. Found items remaining and photos taken. Work order sent. Total assessment of \$3,104.

Blibee: the notice was sent to my team, I think maybe they were on vacation, so I got notification later than the response time. I just wanted you know that is coming from someone dumping at night. It isn't coming from us. We do have cameras. Part of the dumping was on the building next to us, and that part wasn't for us. They dumped between both properties.

[aerial photo + inspector photos reviewed]

Moermond: Ms. Martin, what do you suggest?

*Martin: we often suggest
376 Western is the other property and I don't see any orders issued there.*

Moermond: the best outcome would be a reduction, but it won't be substantial. I'd like to get a better sense of how those buildings fit together. Let's wrap this up July 8.

Blibee: so, you're saying we're responsible if it isn't our stuff?

Moermond: you are responsible for maintaining your property, yes.

Blibee: ok. I'll let the owners know. If it keeps happening how does that work?

Moermond: you are ultimately responsible for maintaining the property. We gave suggestions for making yourselves less of a target, but you are responsible.

Eyeballing this closer and proportion of cleanup for 400 Western versus at 376, I'm seeing that I would say about \$750 of the \$2940 is attributable to the neighbor, so I'll recommend the Council reduce the assessment by that much. You can certainly ask the Council for a different outcome.

Referred to the City Council due back on 7/23/2025

10:00 a.m. Hearings

Special Tax Assessments

9 RLH TA 25-237 Ratifying the Appealed Special Tax Assessment for property at 1245 ALBEMARLE STREET. (File No. J2520R, Assessment No. 258548)

Sponsors: Kim

Recommendation forthcoming. LHO to review property lines.

Nancy Hole, owner, appeared via phone

[Moermond gives background of appeals process]

Moermond: I do have emails you submitted as well, so I do have that background.

Staff report by Supervisor Lisa Martin: February 6, 2025 a Summary Abatement Order was issued to remove and dispose of mattress and tires from near the garage and by the alley. Compliance date of February 13, 2025 and we reinspected February 21. Items remained. Work was done by the crew February 26, total assessment of \$724.

Hole: I sent an email exchange with Mai Vang. I sent some photos she requested. There were four photos, labeled ABCD.

Moermond: the first photo shows a blue garbage can. On the left we have 1249?

Hole: yes. Where the garage is, beyond it you'll see a white fence. If you look at B, you'll see from the front. That garage, fence and my house sit on the property line. Everything to the left of my garage belongs to 1249. That blue can is on the 1249 property. When the mattress and tire and stuff was leaned against the garage? It is on 1249's property, not mine.

Moermond: is that your garage?

Hole: the white garage is mine. Everything to the left of the white garage is NOT mine.

Moermond: the garage wall appears to be flush with the property line then, and there's a law that requires a 3 foot setback from the property line. When they pulled the building permit, they would have make sure it was setback. A lot of people have fences on the inside of the property line. I'm not sure that is proof. Is there a marker, a metal pin?

Hole: one of the photographs that Mai sent me showed the property line outline, and I don't 100 percent know but at one point a couple of years ago I talked to someone with the City about having a new garage built and having an apartment on top. At the time I spoke to them, he told me that when I had a new garage built I would have to move it in off the property line since it currently sat on the line. I'm still assuming that this is sitting on the property line because the garage, fence and house go all the way--there's no separation there. They are all combined.

There isn't anything on that side of my garage I can get to from my yard. Everything is fenced in to the right of where my garage is. If you look at from the front view on photo B, you'll see it is the same thing. There house, their yard butts up against my house.

Moermond: I think we need to sort this out. Just for clarity, the map Mai provided isn't the legal land survey, it is an approximate boundary. It just gives a general idea. It helps but it isn't exact.

Hole: if you look at photo D, that IS my property where that brown fence is, however all 3 of those cans belong to 1241. My can is in picture C, at the front of my house because I am handicapped. None of those cans and the garbage back there belongs to me. My can is in the front. The overflowing can in the one photo in the Summary Abatement Order was stuff from 1241.

Moermond: their cans are on your property?

Hole: yes. Photo B shows where they keep their cans, on my patch of grass, so it isn't in the way of their garage. My can is in photo C.

Moermond: I am seeing quite a bit of stuff here. I want more clarity on location of things. There are a lot of items here, stacked against garage and alley side between weathered wood fence and the alley. What I will say now, even if those are your neighbors' cans, if they're on your property it is still your property. You may want to talk to your neighbor about this. The City wouldn't be involved in this.

Martin: there were orders issued to 1249 as well.

Moermond: I will take another look at the property line situation. Traditionally there is a 3' setback from the property line.

Hole: it was a guy from Department of Safety & Inspections for the permit for a garage.

Moermond: unless you have a land survey—do you have one?

Hole: I don't know.

Moermond: I'll review this and see if we can figure out exactly where the stuff is.

Hole: I am handicapped, and so items I put out would be in front.

Moermond: regardless, you're responsible for the entire property. I get it may not be yours, but it is still your responsibility to handle. Do you have contacts for services? We could send you a brochure that may help if this happens again.

Hole: that would be helpful.

Moermond: we'll follow up by email and let you know my recommendation.

Referred to the City Council due back on 7/9/2025

10 RLH TA 25-261 Ratifying the Appealed Special Tax Assessment for property at 104 IVY AVENUE WEST. (File No. J2510E, Assessment No. 258311)

Sponsors: Kim

Approve the assessment.

Tried calling 11:04: dropped; no response

Tried calling 11:05: dropped no response

Moermond: twice it dropped on June 3, and tried again today same thing happened today. We'll follow up recommending approval.

Referred to the City Council due back on 7/16/2025

11 RLH TA 25-280 Ratifying the Appealed Special Tax Assessment for property at 1067 EDGERTON STREET. (File No. J2510E, Assessment No. 258311)

Sponsors: Kim

Approve the assessment.

Darius Denny, son of owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: October 1, 2024 a Vehicle Abatement Order was issued to owner and occupant regarding a white pickup with no visible plates, compliance date of October 8, 2024. Excessive Consumption fees sent for noncompliance. We send those to get people's attention prior to us sending a tow order. We're getting to that point. Total assessment of \$303. No returned mail. Total of 5 Excessive Consumptions and 2 have been assessed. There is a history at the property.

Denny: you say there's a history on the property? Prior to this incident?

Moermond: not much of one, March of 2023 there was a garbage situation done by owner, and then 2020 a tall grass and weeds which was also done by owner. There were things but they didn't amount to anything is what I heard.

Denny: ok, that would have concerned me it being explained as a problem property.

Moermond: this actually goes the opposite way.

Denny: due to my mental health sometimes things may take me longer to address. As

far as the white truck, it is up on blocks on pavement (concrete). The retaining wall is on the driver's side and a wall in front of the truck that used to be our garage. We kept the foundation because 35 years ago we thought we'd rebuild. I had that vehicle parked on blocks, but that wasn't the discussion originally. If you can see in the photo, first or second photo, over the top of the truck bed you can see some lumber. That's what we were discussing. That's all moved behind the truck now, in my OTHER truck. That's what we were discussing removal of. I had put it there to put up a structure where the white truck was parked. He told me that had to be removed. My truck is now gone because I'm moving the lumber to storage because he said. He didn't discuss the truck at all.

Moermond: there was an order that went out October 1 regarding this white pickup. One, it was open to entry, it appeared undrivable and was on an unimproved surface. I can understand where the inspector was coming from on the surface. There are vines growing all over it. I understand the truck is moved, if there was a dispute about it being a violation, it wasn't appealed. I only have the tax assessment in front of me.

Martin: there was also a Summary Abatement Order issued for the mess out there. A work order was sent on that as well. We'll follow up on the yard shortly as well.

Moermond: the bill we're talking about today is due to an inspection December 9 when the work wasn't done. They're charging you for that. Looks like you talked to the inspector prior and got an extension but that had expired.

Denny: I kept trying to call him because it started getting very cold. If you look at page 5 the lumber is gone because he told me I had to move it. All the garbage and boxes were in the back of my truck that I was taking to the dump, but I had to throw it out because I had to move the lumber. I use the white truck as parts for the white truck I drive. I will be getting rid of that. There's no plate because it is on blocks. I've tried calling a bunch of times and left messages and he never got back to me so I assumed everything was ok. I didn't get a letter on this until way, way after all this. During this same time my truck had broken down and I had to have it serviced. You can tell my truck isn't there in some of the photos. Page 16, I was working on that truck. It was bitter cold. You can tell I have stuff in the back of the truck, I was removing the garbage from the yard. Some of that stuff in the yard was from the basement we had fixed and then our water heater went out. It had water damage.

Moermond: Ms. Martin, can you follow up on inspector notes here? I see a lot of stuff and I didn't see an appeal of any of it. Does look like the inspector was working with you some and not done on deadline. You wanted an extension and didn't get one.

Martin: great notes in here. Spoke with property owner's son to 10/31 extension to remove items and vehicle. Spoke again, granted until 11/21. 11/22 there was a reinspection and no progress made with yard or vehicle. 12/9 reinspection and truck remains in violation and that's when the Excessive Consumptions started. He's granted extensions but nothing has changed. June 3, 2025 Vehicle remains in violation and another Excessive Consumption sent. Still not in compliance.

Denny: the white truck is on an improved lot. It is on concrete. On blocks. No plate because it is parked.

Moermond: you're operating under assumptions instead of what the law is. Generally speaking, they give 90 days past the tabs expire, then it becomes a violation they can call out on private property. With respect to open to entry, I can see the door is

actually open. If it is on blocks and you're using it for parts it isn't operable. It does need to be operable. The fact you're storing things in the truck bed is a separate issue. We have a truck that isn't ok for those reasons. I hear you saying it is parked on cement, the former garage floor.

Martin: we view a vehicle on blocks as a dangerous condition and have the police tow it.

Moermond: you got some extra time from the inspector. I'm going to say this wasn't addressed. The order went to your mom in both cases since she's the property owner. At the very least, even if I give you credit for the parking pad/surface, I don't agree on the open to entry argument or operable. It is inoperable and open to entry. It was a legitimate order, it wasn't appealed. You got two extensions from this inspector, before this bill was issued. Extensions weren't met, and I'm going to recommend approval of this assessment. The Council may look at things differently.

Denny: how do I proceed from here?

Moermond: it was in the original letter that told you about this hearing. We can send a follow up email as well.

Referred to the City Council due back on 7/16/2025

Special Tax Assessments-ROLLS

- 12 RLH AR 25-59** Ratifying the assessment for Rubbish and Garbage Clean Up services during April 2 to 11, 2025. (File No. J2522R, Assessment No. 258555)

Sponsors: Noecker

Referred to the City Council due back on 7/23/2025

- 13 RLH AR 25-60** Ratifying the assessment for Tall Grass and Weed Removal services during March 28, 2025 at 1173 EDGERTON STREET. (File No. J2512TW, Assessment No. 258550)

Sponsors: Noecker

Referred to the City Council due back on 7/23/2025

1:00 p.m. Hearings

Vacant Building Registrations

- 14 [RLH VBR 25-27](#)** Appeal of Stacy Roxberg, Cottage Investments, to a Vacant Building Registration Fee Warning Letter at 1083 SIXTH STREET EAST.

Sponsors: Johnson

Layover to LH July 8, 2025 at 1 pm for further discussion after June 30th inspection. LHO to speak to BO re: permit for mechanical (permit).

Stacy Roxberg, o/b/o Cottage Investments, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor James Hoffman: this is a Category 2 Vacant Building referred from CE. Not condemned, opened as 2 based on exterior state of house. Multiple work orders by Code to clean up yard. House appeared vacant and secured. Placards posted May 2, 2025.

Roxberg: I purchased the property the beginning of April. The owner had a way more stuff than he should have and had possession until end of April. Gave him until May 15 in hopes he would leave. He finally left before Memorial day. I sent my crew in to remove the garbage. My heating guy went to pull a permit to put in a new furnace and that's how I found out it was a Vacant Building. I never was notified about any of this.

Moermond: I show letters going to Cottage Investment Corp on Arkwright.

Roxberg: that's correct, but I never received them.

Hoffman: no notes on returned mail.

Moermond: two letters going astray, which is unusual. Tell me about the repairs. You did the junk out.

Roxberg: he was a hoarder. Someone was actually living in a trailer in the back. My intentions were to replace furnace and repair/replace siding and paint. I would like the Vacant Building Category 2 removed obviously. If it could be made a 1 and 90 days to rehab. If we keep it a Category 2 and did the report I could have the whole property done, which isn't good for the neighborhood.

Moermond: or your bottom line. The TISH is from March 26. That lists 12 hazardous items that does give me pause. The question is are you Category 1 or 2. That may have been a correct call, but with the junk out needing to happen conditions can be discovered to be better or worse once things are out. Mr. Hoffman, could you or Mr. Dornfeld walk through and do a second assessment of the building?

Hoffman: certainly. It would need to be two weeks out since we're both out next week.

Moermond: so the week of June 30th.

Roxberg: that's not a good week with the 4th of July. Could we do it on the 30th? Can I still have my painters work on exterior and paint in the meantime?

Moermond: that doesn't require a permit or covering up deficiencies, so no issues with that. Are either of you available June 30th?

Hoffman: I can make that work. Let's say 10 am.

Moermond: let's get an assessment and a few photos. I will talk to the building official on his thoughts on issuing a permit for the furnace replacement before we land on a Vacant Building category.

Let's talk again July 8th.

Laid Over to the Legislative Hearings due back on 7/8/2025

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 16 [RLH FCO 25-41](#) Appeal of Alex Miller, obo Saint Paul Public Schools, to a Fire Certificate of Occupancy Correction Notice at 275 LEXINGTON PARKWAY NORTH (CENTRAL HIGH SCHOOL).

Sponsors: Bowie

Layover to LH July 8, 2025 at 2 pm for further discussion after building inspector visit.

*Alex Miller, facility project manager SPPS, appeared via phone
Darryl Pratte, facility project manager SPPS, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: these orders pertain to Central High school orders issued originally October 4, 2024 for fireproofing falling from concrete beams in ceiling and causing issues with suspended ceiling tiles below. January had follow up orders issued for same thing. At that point we saw the work wasn't completed and no progress made and the inspector advised the building staff to contact our Sr. Building Inspector John Caldwell for direction. Someone spoke with Inspector Caldwell and was informed that a building permit was needed and was required fire proofing to be maintained. March 2025 received documentation Rack construction was hired to do the work in the summer when school wasn't in session. May 22 we received additional information that the school didn't believe it was required and weren't intending to do the work. We followed up with Insp. Caldwell and Nathan Bruhn and their opinion was this work was required based on building code requirements and what was in effect at time building was built. Our orders currently are supported based on that conversation. We also followed up with State Fire Marshall's office for feedback on this appeal and we inspect school occupancies on a delegation agreement with the State. They advised any variance would need to be approved locally, with the City, and also applied for with the State after being approved by the City for any variance.

Moermond: the orders say "Fire proofing on beams and deck has fallen onto acoustical ceiling. Check all floors." Tell me what that means.

Imbertson: speaking to Inspector Gavin, it was based on seeing enough issues that she was able to inspect to suspect additional issues elsewhere. The areas were primarily above suspended ceiling tiles so not all areas were visible during inspection. In order to not disrupt classrooms, it is common to write an order like that rather than doing a room-by-room list.

Moermond: when we talk about these separations between floors and fire proofing we're talking about an opening that has somehow compromised the original fireproofing. Has there been anything like that or are we just talking about material on the cement between the cement and suspended ceiling.

Imbertson: I believe the second explanation is the most accurate. It is applied to concrete and above the suspended ceiling below. Protects concrete in the event of heat or fire below. I'm not sure when it was originally applied, likely dates to original

construction or a significant remodel. This doesn't appear to be just a few areas where drilling occurred; more of a case of it no longer adhering properly to the concrete. It is coming off in larger pieces.

Miller: it is a thick, heavier material. The initial order was to remove it since it falling did pose risk to conduit or other building materials above the ceiling tiles. Since then, we've had the inspector back out, we received the order to apply fire proofing. We got a bid for that and looking at the cost we decided to take a second look and came to the conclusion it may not be required. That's when I asked Darryl to do some digging.

Pratte: concrete slab and it is 8 or 9 inches thick and given minimum requirements for fire-proofing concrete slabs it exceeds the thickness so doesn't require fireproofing.

Imbertson: the building department said it was required to be maintained as a feature required at time of construction or significant remodel and has to be reviewed through them for any alteration or down-grade of construction. Inspector Caldwell viewed it as a bit of "cutting and pasting" from new code that worked favorably to the situation but may not tell the whole story or requirements that applied that addition was done. If there is additional information that would change the building inspector and official's opinion we wouldn't have any reason to override that separately pertaining to fire code requirements. We're basing our orders on information provided by the building department as well.

Moermond: I did just pull up the October 4 orders on fire proofing, and it appears to be identical to today's orders. Same section of code and fire proofing of all floors. Sounds to me like the fire proofing added a level of safety, and with it coming off, that level of safety needs to be maintained and corrected. It wouldn't have originally been required but having been put there it has to be maintained, similar to a sprinkler system that may not be required but must be maintained.

Imbertson: that's accurate. If it does truly meet building code requirements without the fire proofing material and enough information is provided to building inspectors they would agree, I don't see we would have anything to dispute that but we are deferring to our experts in this case. We are being told it is required to be maintained.

Moermond: did Mr. Caldwell go to the building or review photos?

Imbertson: I believe he just reviewed photos and description of work by Inspector Gavin.

Miller: he did visit the building. He did see the situation. He did also suggest alternatives for compliance, such as installing sprinklers above the suspended ceiling. The thought I got from him was the fire proofing itself wasn't needed, just some level of protection. We're appealing the fire proofing.

Moermond: I understand. That would be an alternative means of compliance. I think we need more specifics from Mr. Caldwell on his findings. This applies to both Fire code and Building code. I assume you'd be working on this over the summer if you end up losing the appeal?

Miller: likely, yes.

Moermond: let's talk July 8 or 15th, with a Council Public Hearing date of July 16 it leaves a month or so before school.

Pratte: we appreciate the opportunity to come to a conclusion, so let's do it as quick as we can.

Moermond: we'll get you connected with Mr. Caldwell. Let's talk again June 8.

Laid Over to the Legislative Hearings due back on 7/8/2025