



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Jean Birkholz, Hearing Secretary*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

---

Tuesday, December 2, 2014

9:00 AM

Room 330 City Hall & Court House

---

### 9:00 a.m. Hearings

#### Special Tax Assessments

- 1 [RLH TA 14-672](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 975 BEECH STREET.

**Sponsors:** Lantry

*Marc and Marpessa Hudson, owners, appeared.*

*Inspector Paula Seeley:*

- Summary Abatement Order mailed Wed Set 17, 2014; compliance Sep 22; re-checked Sep 22
- Work done Sep 24 for a cost of \$426 + \$160 service charge = \$586
- sent to Mark and Marpessa Hudson, 995 Sixth St E, St. Paul
- no returned mail
- remove all litter, garbage in rear yard and mattress
- history: garbage/rubbish - owner took care of it 11/17/13
- provided the Appellant with color photos from the day the inspector came to check, Sep 22

*Mr. Hudson:*

- he was not aware of the city coming in to clean up; he thought that his garbage company got it because he got a bill from them for \$500+; they picked up every mattress
- he had tenants who threw that stuff out
- it seems like as soon as the stuff is put out, the inspectors come
- the people moved out in Sep and he put in a new tenant
- they threw out 5-6 mattresses, 3-4 dressers, love seat, couch, etc; they didn't get much of a damage deposit back
- all their stuff was itemized
- my guy claims that he cleaned all that stuff up and he charged me

*VIDEO - city picked up scrap wood, brush pile, mattress, etc.*

*Ms. Moermond:*

- Sep 17 was a Wed; compliance day was Mon Sep 22; crew showed up on Wed Sep 24

*Mr. Hudson:*

*- he and his wife are both disabled; they have this building for income because they are disabled; they don't have an excuse for this; he wants to keep his properties clean; he pays people to clean-up but in this case, they didn't do it*

*Ms. Moermond:*

*- take those photos and show them  
- will recommend approval divided over 5 years; City Council may look at this differently  
Approve and spread over 5 years*

**Referred to the City Council due back on 2/4/2015**

- 2      [RLH TA 14-657](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 1043 BEECH STREET.

**Sponsors:**      Lantry

*12/2/14: No show; approve.*

*12/10/14: Owner called and asked if I received her letter. After much searching, I found the email dated November 19. Since this was not read at 12/2, I rescheduled to be reviewed by LHO on 12/16.*

**Laid Over to the Legislative Hearings due back on 12/16/2014**

- 3      [RLH TA 14-660](#)      Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 766 ENGLEWOOD AVENUE.

**Sponsors:**      Thao

*Delete; another inspector sent orders at the same time with a later compliance date and did not know there was an open file. (No hearing necessary)*

**Referred to the City Council due back on 2/4/2015**

- 4      [RLH TA 14-670](#)      Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1502, Assessment No. 158801 at 804 FOURTH STREET EAST.

**Sponsors:**      Lantry

*Irwinna Mitsch, owner and her son Leonard Mitsch appeared.*

*Leonard Mitsch:*

*- no one lives at the property now; mom used to live there but she lives with him now*

*Inspector Joe Yannarely:*

*- this is a Vacant Building fee; LH gave it a 90 day waiver on May 13, 2014; the anniversary date is Mar 13; they were to get a Code Compliance Inspection and did Nov 5, 2014; no permits have been pulled; they are 8 months into the cycle*

*Mr. Mitsch:*

*- the property will be listed to sell quickly; it will be sold "as is"  
- one guy did come to look at it, so far; he's going to talk to investors*

- it's taking so long because mom is living on Social Security alone and she had to come up with the \$600 for the inspection; and the inspectors were a little over a month behind doing inspections

Ms. Moermond:

- provided some information on trying to sell a Category 2 Registered Vacant Building  
- Ms. Mitsch is retired living on S.S. and we may be able to set this up so that she can pay the fee in 5 years; so, if you can sell it within 5 years, the VB fee would be due at the time of sale instead of being due now (you need to fill out some paperwork to do that); contact Tanya Townsend, 651/266-6153 and she can get you the paperwork for getting a deferral on it

- the next thing: some realtors are familiar with dealing with Cat 2 VB; the city looks for the buyer to show that he/she has the ability to fix it (proof of income, contractors, construction loan, etc.)

Mr. Yannarely:

- this house is in Dayton's Bluff; provided a realtor who specializes in this: Brad Griffith - 263-2830 (on the Dayton's Bluff Community Council); he knows all the ins and outs of selling it

- other name is Jim Erchul, Dayton's Bluff Neighborhood Housing Services, his Email: jerchul@DBNHS

Ms. Moermond:

- you won't need a Truth in Sale of Housing (TISH) because you already have a code compliance inspection report

- wants to continue a conversation for 2 months to see how it progresses

- will sent a letter

Laid over to 1/20/15 for progress on the building.

**Laid Over to the Legislative Hearings due back on 1/20/2015**

**5**      [RLH TA 14-665](#)

Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 1076 FULLER AVENUE.

**Sponsors:**      Thao

Joseph Stinar, owner, appeared.

Inspector Paula Seeley:

- Summary Abatement Order issued Sep 9, 2014; compliance Sep 13; re-checked Sep 15

- work done Sep 23 for a cost of \$326 + \$160 = \$486

- sent to Lloyd O'neal, 1076 Fuller Ave; Occupant; and Laura O'neal/Alan O'neal, 1076 Fuller Ave

- no returned mail

- underlined: Remove accumulated refuse, mattress, box spring, couch, plastic, cushions, brush, etc, near garage

Mr. Stinar:

- Lloyd and Alan O'Neal were the sons of Ms. Laura O'Neal, who passed away at 100 years old in Mar or Apr 2014; they were also on the deed; Alan was a resident there; Lloyd lives about 4 blocks away; Alan and Lloyd do not discuss much

- they purchased it through the estate, basically, through Lloyd so that they could clean up the neighborhood; they own some property on the other side of the alley too: 408, 402, and 414 Lexington Pkwy N

- they knew that Alan was not paying some of the bills and they were shocked when

he notices that there were placards posted on his door: Water Shut-Off; Condemnation; they also knew that the power was going to be shut-off; so, they were trying to get the closing date moved up; at the same time, Mr. Stinar had already been taking care of the lawn this whole summer and picking up a lot of the trash around there; they were getting a dumpster  
- closed Oct 1, 2014

Ms. Moermond:  
- will recommend this assessment be deleted; the Notice was sent to the previous owner during their period of ownership but you were out there doing this work prior to your ownership  
Delete the assessment.

**Referred to the City Council due back on 2/4/2015**

- 6 [RLH TA 14-661](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 883 GALTIER STREET.

**Sponsors:** Thao

Delete; inspector error on compliance date on order sent out. (No hearing necessary)

**Referred to the City Council due back on 2/4/2015**

- 7 [RLH TA 14-667](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1502, Assessment No. 158801 at 673 JESSAMINE AVENUE EAST.

**Sponsors:** Bostrom

12/2/14: No show; approve.

12/9/14: Owner contacted office to have VB fee prorated without having to reschedule hearing. Consulted with Ms. Moermond and she reviewed the matter and recommended reducing the VB fee from \$1595.00 to \$600.00. He had his building permit finalized on December 3, 2014.

**Referred to the City Council due back on 2/4/2015**

- 8 [RLH TA 14-655](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1502, Assessment No. 148801 at 897 JESSIE STREET.

**Sponsors:** Brendmoen

12/15/14: Contractor contacted Ms. Vang and stated he might not get repairs done until the end of January. He stated owner was dealing with insurance company and didn't start the work until October.

Appealed by mail (Clara Gallagher, trustee). (attached)

Inspector Joe Yannarely:  
- Category 1 Vacant Building  
- entered the VB Program after a fire Mar 20, 2014  
- extensive rehab is in progress  
- is past the 90 day exemption

Ms. Moermond:

- looks like this should have been a Cat 2 VB

Mr. Yannarely:

- you dealt with this before in Aug 2014; all Work Order assessments were approved by LH

- permits pulled: mechanical; warm air; electrical; plumbing; building in Oct 2014

Ms. Moermond:

- they have to close out those permits before someone can move in

- if it's a Cat 1 - that means someone can be moved in right now

- if it's a Cat 2 - they have to close their permits

Mr. Yannarely:

- he'll talk with Mr. Friel about this to make sure

Ms. Moermond:

- probably the reason they are running so late is because of insurance

- she has a contractor who says that it will be done mid-Jan or Feb 2015

- City Council Public Hearing is Feb 4, 2015; let's see how things look; we can put this on LH agenda Jan 20 to check on progress; if she's doing well, we can probably delay it and decrease it

- we also need to remind her about maintaining the property

Layover to check on progress of repairs.

**Laid Over to the Legislative Hearings due back on 1/20/2015**

**9**      [RLH TA 14-673](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 1026 LAWSON AVENUE EAST.

**Sponsors:**      Bostrom

*Don Marx, owner, appeared.*

*Inspector Joe Yannarely:*

- Summary Abatement Order issued Sep 2, 2014 to remove improperly stored accumulated refuse, including garbage, rubbish, scrap wood; also cut and remove tall grass, weeds and rank plant growth near alley

- deadline: Sep 9; re-checked Sep 9 and found in noncompliance

- work done Sep 11, 2014 for a cost of \$632 + \$160 = \$792

- went to assessment on Oct 18, 2014

*Mr. Marx:*

- purchased property Oct 7, 2014 (closed)

- they are fixing up (VB)

*VIDEO - removed materials from yard and cut the tall grass, weeds and rank plant growth near alley*

*Ms. Moermond:*

- Notice was sent to Thomas and Chari Strelow, the previous owners; must have been a foreclosure; she doesn't know how long the bank had it before Mr. Marx bought it; if the Notice went to the previous owner during the time period that they owned it and the work was done during that time period, you are stuck with the bill; if the city notified the wrong party (didn't go to the bank when the bank owned it) - a lot

*of people go to the realtor and the seller and look for that money back; Title Insurance often covers this type of situation*  
*- curious about who owned it; when the Notice went out; and did it go to the proper party when the work needed to be done*  
*- should have been caught as a pending assessment and discussed during closing*  
*- we'll check and can Email you; then, you can decide if you want to come to the City Council Public Hearing Feb 4, 2015*  
*Forthcoming...Need to determine who owned the property at time the Summary Abatement Order was written*

*Follow-up: SAO went to owner of record at that time. Proper notice was provided, approve assessment. -MM*

**Referred to the City Council due back on 2/4/2015**

- 10 [RLH TA 14-662](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 283 MARYLAND AVENUE WEST.

**Sponsors:** Brendmoen

*12/2/14: No show; approve.*

*12/10/14: Owner called and stated he missed hearing. Rescheduled to 12-16-14.*

**Laid Over to the Legislative Hearings due back on 12/16/2014**

- 11 [RLH TA 14-613](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1501E, Assessment No. 158300 at 1761 MARYLAND AVENUE EAST.

**Sponsors:** Bostrom

*Mai Lia Yang, owner, appeared.*

*Inspector Joe Yannarely:*

- Excessive Consumption*
- nuisance was a couch and debris in front yard*
- Orders dated Apr 3, 2014; compliance Apr 9; re-checked Apr 11 and Apr 18 (extension given); WO*
- crew went out Apr 21 and cleaned up the couch and debris*

*Ms. Yang:*

- did a short sale; tenants were there for about 4 months while they were trying to find a place*
- never got notice and didn't know about it until her realtor brought it to her attention; she asked her former tenants about it and they remember leaving some stuff out there*
- she will eventually need to go to conciliation court*

*Ms. Moermond:*

- the address wasn't correct with Ramsey County was on you*
  - will recommend approval of this assessment*
- Approve.*

**Referred to the City Council due back on 1/7/2015**

- 12 [RLH TA 14-663](#) Deleting the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 1761 MARYLAND AVENUE EAST.
- Sponsors:** Bostrom
- Mai Lia Yang, owner, appeared.*
- Inspector Joe Yannarely:*
- Tall grass/weeds Order issued Sep 3, 2014; compliance in 72 hours; re-checked Sep 10; WO
  - work done Sep 11, 2014 for a cost of \$80 + \$160 = \$240
  - Category 2 Vacant Building file opened Jul 7, 2014
  - also WO on snow/ice recently
- VIDEO - city cut some tall grass and weeds in back yard*
- Ms. Yang:*
- never received any of those notifications
- Ms. Moermond:*
- sees that a good faith effort was made to address issues in the front
  - will recommend Deletion
- Delete the assessment.*
- Referred to the City Council due back on 2/4/2015**
- 13 [RLH TA 14-671](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 1862 MINNEHAHA AVENUE EAST.
- Sponsors:** Lantry
- Rescheduled per owner's request.*
- Laid Over to the Legislative Hearings due back on 12/16/2014**
- 14 [RLH TA 14-653](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1502A, Assessment No. 158501 at 141 PAGE STREET EAST.
- Sponsors:** Thune
- 11/4/14: original date of LH*
- 12/2/14: No show; approve.*
- 12/9/14: Owner requested to have matter rescheduled because he was out of town; consulted with hearing officer and she recommended denying to have the matter rescheduled; therefore, owner would need to make his case to City Council. (Email was sent to owner).*
- Referred to the City Council due back on 1/21/2015**
- 15 [RLH TA 14-669](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 673 SHERBURNE

AVENUE.

**Sponsors:** Thao

*Rescheduled per owner's request.*

**Laid Over to the Legislative Hearings due back on 1/6/2015**

16 [RLH TA 14-658](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1504A, Assessment No. 158503 at 694 SIMS AVENUE.

**Sponsors:** Bostrom

*Jim Schmidt appeared.*

*Mr. Schmidt:*

- *believes that it was cleaned up before the end of time that was given*
- *it was an illegal dumping*

*Inspector Paula Seeley:*

- *Summary Abatement pre-authorized Work Order sent Sep 18, 2014; compliance Sep 22;*
- *crew cleaned it up Sep 22 for a cost of \$416 + \$160 = \$576*
- *some history on property*
- *sent to Schmidt Group Marketing LLC, 5038 Quail Ave N, Crystal; and Occupant*
- *re: large pile of clothing, TV, rubbish on garage apron*
- *she was the inspector*

*VIDEO - tvs, clothes, junk, debris, etc.*

*Mr. Schmidt:*

- *they also cleaned up the empty lot next to this*
- *as you can see, there were 3 or 4 tvs there that had been stripped of copper, etc., all this stuff was not from his tenants*
- *the 2 tenants have been there for a while*
- *he went out there on the last day that it was supposed to be cleaned up - the 22nd and it was already cleaned-up; he borrowed his dad's trailer to haul the stuff to the dump but it wasn't his tenants' stuff*
- *he understands that the city inspectors are not aware of who's items are left*

*Ms. Seeley:*

- *history: SA Order Mar 18, 2014 and Jul 29, 2014 refuse; done by owner; another one loose garbage, etc. on driveway - done by owner*

*Mr. Schmidt:*

- *he does take care of his properties*
- *he called the city and they didn't tell him that an illegal dump was his responsibility until he talked to the inspector and then, he went out there and cleaned it up*

*Ms. Moermond:*

- *why was this a pre-authorized Work Order instead of a regular SA*

*Ms. Seeley:*

- *because of how egregious it was*

*Mr. Schmidt:*

- *normally, they just dump the stuff in the empty yard next to me - just west of my*



*property but this is the 4th time since he's owned this property that it's been dumped on - in the back of his lot*

*Ms. Moermond:*

- you have a good history but you've got to get ahead of the ball before the Orders come out - visit more frequently*
  - you have taken care of things in the past*
  - believes that he was out there with the trailer on that date and given the short time line, it does amount to a good faith effort*
  - will recommend reducing the assessment by \$200*
- Reduce the assessment from \$576 to \$376.*

**Referred to the City Council due back on 2/4/2015**

### Special Tax Assessments - ROLLS

- 17 [RLH AR 14-85](#) Ratifying the assessments for Collection of Vacant Building fees billed December 12, 2013 to July 17, 2014. (File No. VB1502, Assessment No. 158801)
- Sponsors:** Lantry
- Referred to the City Council due back on 2/4/2015**
- 18 [RLH AR 14-86](#) Ratifying the assessments for Property Clean Up services from September 1 to 29, 2014. (File No. J1504A, Assessment No. 158503)
- Sponsors:** Lantry
- Referred to the City Council due back on 2/4/2015**
- 19 [RLH AR 14-87](#) Ratifying the assessments for Trash Hauling services from September 3 to 24, 2014. (File No. J1503G, Assessment No. 158702)
- Sponsors:** Lantry
- Referred to the City Council due back on 2/4/2015**
- 20 [RLH AR 14-88](#) Ratifying the assessments for Tree Removal services during September 2014. (File No. 1501T, Assessment No. 159000)
- Sponsors:** Lantry
- Referred to the City Council due back on 2/4/2015**

### 11:00 a.m. Hearings

#### Summary Abatement Orders

- 21 [RLH SAO 14-45](#) Appeal of Latita Black to a Summary Abatement Order at 841 SELBY AVENUE.
- Sponsors:** Thao

*Issue resolved; appeal withdrawn.*

**Withdrawn**

**Orders To Vacate, Condemnations and Revocations (NONE)**

**11:30 a.m. Hearings**

**Vacant Building Registrations**

- 22**    [RLH VBR 14-99](#)    Appeal of Brad Schmitt to a Vacant Building Registration Notice at 605 FRONT AVENUE.

**Sponsors:**        Brendmoen

*Appeal withdrawn; Supervisor Dornfeld canceled the appeal stating PO was confused by the VB fee. He explained to him and he is good to go.*

**Withdrawn**