



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, March 22, 2022

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 22-101** Ratifying the Appealed Special Tax Assessment for property at 628/630 MENDOTA STREET. (File No. J2216A Assessment No. 228515)

Sponsors: Prince

Continue PH to September 20, 2022. If no same or similar violations reduce assessment from \$528 to \$264.

Jesse Murphy, property representative, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this was a Summary Abatement Order issued November 29, 2021 to empty overflowing trash containers and furniture and debris from back of building. Sent to Jeff Spencer and Occupant. Rechecked December 3 and her notes say some things were gone but a majority was still there. Parks did the abatement December 6 for a total assessment of \$528.

Moermond: Mr. Murphy, are you appealing on behalf of the owner?

Murphy: yes.

Moermond: what are you looking for today?

Murphy: I did get the letter dated the 3rd, we were there and did pick up 90% of the stuff. We didn't assess anything in the garbage since it is a paid service through Aspen Waste. My thing is on the 3rd we were supposed to have everything done. 8th the videos were taken.

Moermond: yes, that's when the crew was there.

Murphy: on the 13th there were pictures taken, and then the 21 there were more pictures. I'm curious, clearly I saw they were there, however in the description from Paula from December 3 90% was gone. But they removed the recycling.

Moermond: the recycling containers were filled with garbage, not recycling, so Eureka won't pick that up.

Murphy: sure, yeah. I won't get into that which is what Eureka and myself has been taking care of. There are 10 units ad with illegal dumping we can't prove anything. We're over every day picking up trash. I send a guy or 2 depending on if they are dumping couches. If you look at the pictures, the guy in the van won't remove his car and I even called the police and they wouldn't since he was living in it. The property has had squatters in multiple months that throw their trash in the back, which is why the shopping carts are there. I am aware of the situation but there is only so much I can do. If there was some leeway here, we are there, I have talked to Paula on occasion. I am trying to get it accomplished and moving forward I have 3 new tenants and it has been a lot quieter. That place is known as offering housing for homeless, which sometimes have homeless stay with them on cold days. We try to teach them if you keep bringing people in you will lose them, which is what happened with the 3 we evicted from there.

Moermond: the ones you call squatters?

Murphy: no, they were the friends. That carpet in the video has been brought into the basement 3 times. When I talked with Efrayn and Adam powers, the people kept breaking in. there is only so much we can do. It is all from the squatters. It is a full time project over there. Unfortunately I didn't know if there was one shopping cart, I have receipt from delivering to the dump, when they bring another shopping cart, she still sees it even though it's a new one. I didn't know the City would go through the recycling containers. We do go there and empty those. We do try to hand empty the Eureka containers into the aspen containers. My rep with Aspen has been kind enough to do some special pickups because of the bad situation. I really was hoping Paula would be here so she would know we are at least trying.

Moermond: I hear you tried to make a good faith effort, a chronic situation, and a partially completed job. I have less leeway because it is chronic. I hear you addressed the tenant problem but it is likely to continue moving forward.

Murphy: in the past. I commit today that it will be a lot better now since the tenants are gone that were bringing the squatters in.

Moermond: I see orders from January 10 of a sofa in the front yard but that was in compliance.

Murphy: and that was the guy kicked out. He moved next door to 624. He put it all in front and then moved it next door. That's why it was there. Since he has moved he has taken his trouble to that other property. Since mid-February we haven't seen them back.

Moermond: I don't know if this will work for you or not, I'd like to create a carrot for there not to be problems moving forward. The City cost to send out a crew is reflected in the assessment amount, but I'd be willing to recommend it is cut in half, down to \$264 if there are no same or similar violations between now and September 20th. at the public hearing May 4 that will be the recommendation. I saw plenty of same items as in the photos and video. There was an attempt but there was still a cost to the City for what they did do. I'd like to see some better conditions for the neighbors there. The Council may look at it different, but that will be my recommendation.

Murphy: the money thing is not my issue; however it is that I'm trying to work with Daniel and Paula so they know I really am trying to make it right over there. The City coming out and is doing work, I know they deserve to get paid. I'm just hoping there be some leniency when things like this occur and that she knows we went out there. Why would we only do 50%? It doesn't make sense, but I didn't know you'd do the recycling cans too. The other thing is I was talking to Eureka at that time, the squatters had stolen people's recycling cans and were bringing them down. That property only has 2. Instead of garbage they put it in recycling because it is their storage container for personal items to bring it property to property. Because of that I'm not trying to take their stuff, I have a heart. However, we house these people and get them mental health assistance. I would recommend to the City to know a lot of that stuff is their property.

Moermond: and maybe as the landlord providing housing you need to provide storage.

Murphy: it is the squatters; they don't live there.

Moermond: I understand, but I wouldn't want to be a neighbor. I wish you well but you have the information if you'd like to go forward further.

Referred to the City Council due back on 5/4/2022

- 2 RLH TA 22-100** Ratifying the Appealed Special Tax Assessment for property at 609 SIMS AVENUE. (File No. VB2207, Assessment No. 228806) (Public hearing continued to May 4, 2022)

Sponsors: Yang

Continue PH to May 4, 2022. If property has received its CC certificate reduce assessment from \$2,284 to \$1,142, otherwise approve in full.

Jay Mitchell, property representative, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is a Category 2 Vacant Building entered the program November 3, 2020 upon the revocation of the Certificate of Occupancy. Currently this is the prospective fee, many active permits. The total proposed assessment of \$2,284.

Moermond: tell me about the appeal, Mr. Mitchell.

Mitchell: we went through the process with Reid to get permits and what not. I don't remember the exact date, but permits were pulled and we have a 7 month plan to complete the Code Compliance Inspection.

Moermond: yes I see there was sale review January 3. What are you looking for this morning?

Mitchell: I'd like to get the fee waived until we can finish in July or August 1.

Moermond: the fee we're talking about today covered November 3 of 2021 to November 2 of 2022. You're asking for 9 months. If you have the project done by May 3 I would be willing to recommend the fee is cut in half on May 4. But I won't go deeper than that. I get your plan is to August, but that's 9 months into the 12 month bill. That's the City's cost. I'll go out that far with you.

Mitchell: ok, I appreciate it.

Referred to the City Council due back on 4/6/2022

10:00 a.m. Hearings

Special Tax Assessments

- 3 RLH TA 22-93** Ratifying the Appealed Special Tax Assessment for property at 927 LAWSON AVENUE EAST. (File No. J2217A, Assessment No. 228516)

Sponsors: Yang

Reduce assessment from \$976 to \$488, made payable over 2 years. Continue PH to September 20, 2022, if no same or similar violations, reduce assessment further from \$488 to \$244 and make payable over 2 years.

Alice Forrest, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: December 6 Inspector Seeley did an inspection and wrote up a Summary Abatement Order for cleanup of trash on the ground and overflowing containers. A few days later she noticed it was only addressed to the occupant, with no personal names. She reissued a new Summary Abatement Order on December 13 which now included the same items on garage apron—

Moermond: on December 6 an order went out, addressed to occupant, and normally it would be occupant and owner by name. For some reason the computer omitted the owner?

Kedrowski: yes.

Moermond: ok, that's December 6. Now continue the December 13.

Kedrowski: a new order was sent December 13 to rectify that. That was for additional items, including a mattress, on garage apron. Because of the confusion with the 2 Summary Abatement Orders two work orders were sent. Both times Parks did do a cleanup at the property, but it is confusing as far as timelines and issuance of orders.

Moermond: so two cleanups. The two together come to \$976. One of them related to the first order was only sent to occupant, and other to occupant and owner by name. Ms. Forrest, tell me what's going on and what you are looking for today?

Forrest: this is my first house and I bought it in 2019. My mom passed September 18, I drove out to her house in Faribault to get her truck and that's the cleanup in question. However, I did not know on our way back from getting that truck it got hit on the highway. I had to get it towed to my house, which I did. I was in the process of trying to find paperwork on the truck so I could get it fixed, however due to the winter there wasn't anything I could do. Because this is my first house I had no idea that I couldn't have a vehicle on my property in front of my garage that wasn't blocking the alley. It was in front of my garage. I didn't know you couldn't have a vehicle you're trying to fix. It was drivable. I was in the process of trying to find someone to fix the damage on it

so I could move it in my garage. The tow company couldn't do that because of how the alley is situated. I wasn't planning on getting rid of it, I was keeping it as a souvenir from my mom. There was nothing I could do once the snow came. It was on my property; it wasn't bothering anyone. It wasn't in the alley. If it wasn't the winter I would have been able to get it fixed.

Moermond: we have a few things going on here. We have twice the City went out to cleanup what looked like extra garbage and a TV around your cans. And separately we have the towing of the vehicle. Right now I don't have anything related to that towing in front of me, just the garbage cleanup. I'm asking staff to figure out when the hearing related to the towing will be scheduled, I want to make sure you are aware of that

Forrest: I thought the garbage people would take the TV. Everywhere I have lived the garbage man took everything by the garbage. I didn't know St. Paul was different, but I'm learning that as I live here it is very different than Minneapolis. I thought when you put garbage out the garbage people would pick it up. I would have put the TV in my garage if I was aware it wouldn't be picked up. There was no tag on my can like in Minneapolis. The trash I went out there, and I cleaned it up myself. Another thing, people come through the alley and throw stuff in the alley. If I don't know trash is out there I can't do anything. One time I went out in the summer and there was stuff by the garbage and it wasn't even mine. I can't control what people do. It just seems like since I moved in, maybe because I'm young and black, as soon as I moved in I have way more problems with the City and police than I ever had before. It is becoming overwhelming. I just tried to commit suicide because living in St. Paul is overwhelming. It is like I'm not accepted where I bought my house at. Now I have to find \$900 I don't have. I don't think that's fair.

Moermond: I want to pause—

Forrest: I don't feel wanted in St. Paul. If I could sell my house I would. I need to get out of here.

Moermond: I need to pause and you just mentioned you recently tried to commit suicide. Have you sought services; do you need references? I don't want to skip over what you said. I want to acknowledge things are hard. Is that something we can help with?

Forrest: to be honest, on top of dealing with St. Paul and not really grieving my mom, it is just overwhelming and after me living in Minneapolis my whole life. They are different. Minneapolis accepts people. St. Paul doesn't and I'm starting to learn that. I'm overwhelmed with St. Paul and dealing with all these things. Dealing with the fact my mom is gone. It is so overwhelming. Now they took my mom's truck and I'm trying to find out why. I was trying to get it fixed. No, I haven't sought out any help because I feel like there is no help. The only thing that would help me would be to sell this house and get out of St. Paul. Since I moved in it has been one problem after the next. That's the reason I tried to attempt what I did this past weekend?

Moermond: did you talk to the national suicide prevention hot line or an emergency room?

Forrest: no.

Moermond: we'll email you some information on free services. I'd like to talk to you about differences between Minneapolis and St. Paul. Yes, St. Paul doesn't tag the

cans. I can tell you I'm going to cut the \$976 in half right out of the gate because the notification went to the occupant, but not to you by your name. I know when I get information in the mail that says occupant I think it is advertising and may ignore it.

Forrest: exactly.

Moermond: so it is reasonable to cut that in half. From there, you are new and learning the ropes here. From the video it looks like not much was done and you're having problems with dumping and dealing with your mother's possessions which I know is hard. I'd like to make this more painless and help you; I can create an incentive and say if you don't have problems with extra garbage and tv's and what not I can reduce this more. I will cut it in half again if you don't have any problems between now and September 20, 2022. Right off the bat I'll cut it by \$488, so that's gone. When I stand in front of Council May 4, I'll say if you have no problems by September 20, I'll ask them to reduce it again by half. I can make that payable over 2 years so it is smaller impact on your taxes. But you need to know you need to stay on top of it or we'll be back up to the \$488. The vehicle stuff I wish I could help today but I don't have that case in front of me now. That's going to come in the future and you will get another notice. I just don't have the information to do that now. Personally I would like to welcome you to St. Paul and I hope things are improving. Going through the cleanups and the sentimental attachment to the vehicle. The inspector doesn't have that background information, I don't know they knew how that felt from your side. They saw a vehicle someone complained about that was damaged and sitting for a long time. It is a code violation. The inspector dealt with it according to the rules, but you had other stuff happening. In the future pick up the phone and talk to the inspector about what is going on in your life and what may work for you timing wise. You did have a plan it seems like; it just didn't work on the same timeline as the orders. I'm going to have staff send some resources, I'm super concerned that you feel safe and are taking care of yourself. We'll get you some basic information and I really want you to be ok. That's my biggest concern today. I hope decreasing the assessment, which is fair and how I would treat anyone else in your situation, helps. I look forward to talking to you down the road as well. I hope you start feeling more at home in St. Paul and find some resources here that make it feel more comfortable. I wish you a good rest of the day and really hope you have things looking up in 2022.

Referred to the City Council due back on 5/4/2022

4 RLH TA 22-99

Ratifying the Appealed Special Tax Assessment for property at 975 PALACE AVENUE. (File No. J2217A, Assessment No. 228516)

Sponsors: Noecker

Continue PH to September 20, 2022. If no same or similar violations reduce assessment from \$506 to \$253 and make payable over 2 years. If approved in full, make payable over 2 years.

Sheila Ogren, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: December 1 an inspection was done and there were orders written for removal of scrap wood, a door, miscellaneous debris from behind a porch on the west side. Resinspection was for December 8, however it wasn't removed, I gave some extra time, did another recheck December 13. AT that time the items weren't removed so a work order was sent to have it removed by our

crew.

Ogren: I never got anything, any notice. No one telling me anything that it had to be removed. I was going to do it, but I didn't get any paper telling me to do it by a certain date. I didn't know about this one. When I finally talked to the inspector I only knew about the one I just got the other day. When I initially started getting my mail, which wasn't until I called the inspector, two days after the due date for the last one. I tried for a week to get ahold of that guy. But I left a message that night saying I'd take care of it in the morning, it was 2 days past the due date to have it done, but that's the date I got it. That was for the February 14 deadline. I didn't get it until 2 days after the due date. I didn't get this one we are speaking about at all. When I talked to the inspector, I didn't know it was coming. No physical paper because it was too late. I don't know what St. Paul's codes are. If I knew I wouldn't have allowed it to sit there. I wouldn't have left it there forever. I have a 5 pound lifting limit, so I physically couldn't do it. I had to have help. I was in a four car pileup which injured my spine in 3 spots. My stage 3 lymphoma causes me to be very weak. I would have done what I could or got someone to help if I had a physical paper. If it was on my door, or knocked, I would have taken care of it. I didn't get anything. I'm still getting mail from last November and December.

Moermond: Mr. Kedrowski, you were in the inspector, any comments?

Kedrowski: after talking to her I realized she is a new occupant so there may have been some issues with the transition. The TISH was done last June. So maybe a lag on mail.

Moermond: looks like you purchased the house August 13, 2021. How did this stuff appear outside your house with your weight limit?

Ogren: I had people helping me get the house done. The car accident was in June. I didn't know medical until I was knee deep in purchasing the house. When I bought the house it looked beautiful and upon signing papers there was stuff that came up that needed to be addressed. I had someone working and the house had snakes in the basement. I had old benches taken out of the house. That's what was taken on the second one. there was water damage so we were breaking apart the bottom few inches of the particle board in the bathroom. I have severe allergies to dust mites and mold. There was mold in the basement and we learned other things about the house. Medically for me we were taking out everything that had to do with black mold on the sheetrock. That's what was going outside. There were 2 doors that had to come out because the doors were bulging and getting stick. My 5 year old got locked in one of the rooms, so I'm trying to slowly replace them. I don't know what the codes are. In Bloomington, I lived there 23 years, if I did anything wrong—which I didn't—I was property manager there. They would set up an inspection or email me. There was some other communication.

Moermond: so you got 2 letters that weren't returned to the City and there were more than 2 weeks between the mailing and when they were received. We have 2 x 4's and a door in the videos I watched. We have additional problems coming up with a truck parking on the lawn. We've had additional problems so that's not great. I want to look at this and say this is a one-off, but I don't see that.

Ogren: regarding my truck, I couldn't afford to rent a U-Haul yet, so we'd taken my expedition to move small loads. My truck's battery died in the middle of the lawn. That's why my truck was there. It wasn't charging, but it didn't stay long. The 2x4's

were because I had a company make a patio. I had someone coming to get rid of those. The only thing I ever got was that letter 2 days after the due date.

Moermond: I'm struggling with that.

Ogren: the truck was moved before I even got the notice.

Moermond: and I can't address it, it isn't in front of me. I was only commenting on the additional problems with the maintenance of the property. I hear you have a lot of things going on that impact your ability to manage the property, but there are responsibilities there. The City here does first class mail. You're saying you didn't get either of 2 letters that went out. One letter, maybe. But two makes it more like you were missing the mail than the mail missing you. I'd like to see 975 Palace not be a mess for the neighbors. It isn't an accident they showed up there. They won't make an appointment; they can drive by and see that.

Ogren: I'm fully capable of opening my mouth and doing what I can when I physically can. I did it for 23 years. I was great at my job. But I did not know and now I am not able to lift. Had I known, I would have. I am not a liar. If I had a piece of paper I would have done it. Moral values? That is me. I plan on living here for a long time, I don't want my neighbors to hate me.

Moermond: I want to see no problems moving forward. I think there was adequate notice, I would like to create an incentive for no issues moving forward. We can email you the property maintenance code or a neighborhood guide.

Ogren: that would be fabulous.

Moermond: I will push this out to September 20 at your Public Hearing on May 4. On September 20 I will ask them to cut the assessment in half if there are no future problems with the property and divide that over 2 years. I would be more generous if we didn't have the follow up issues. If you want to contest that, which is absolutely fine—

Ogren: I will be honest; I'm not going to be able to pay it. If I start chemo and radiation, I don't know if my insurance will be able to pay it.

Moermond: it would be \$253 over 2 years. In September if the Council votes and cuts it in half, you'll get an invoice. You can pay it or not pay it. If you do not pay it half of that \$253 will go on your 2023 property taxes, the other half on 2024. As you know those payments are due spring and fall and the amount is a lot smaller. If you are having problems paying your taxes talk to Ramsey County about that.

Ogren: my property taxes are in with my mortgage payments.

Moermond: I just wanted you to understand timing and how its handled if the invoice isn't paid.

Ogren: the other problem was I had to fight with the garbage company to set up pick up here. I still can't get recycling to drop off a can.

Moermond: we can follow up with staff about that for you.

Referred to the City Council due back on 5/4/2022

Special Tax Assessments-ROLLS

- 5 **RLH AR 22-29** Ratifying the assessments for Property Clean Up services during December 1 to 14, 2021. (File No. J2216A, Assessment No. 228515)
Sponsors: Brendmoen
Referred to the City Council due back on 5/4/2022
- 6 **RLH AR 22-30** Ratifying the assessments for Property Clean Up services during December 14 to 30, 2021. (File No. J2217A, Assessment No. 228516)
Sponsors: Brendmoen
Referred to the City Council due back on 5/4/2022

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

- 7 [RLH SAO 22-11](#) Appeal of Barry W. Kostyk to a Summary Abatement Order at 351 HOPE STREET.
Sponsors: Prince
Appeal withdrawn by owner noting property is now in compliance.
Withdrawn
- 8 **RLH SAO 22-10** Appeal of James Maxa to a Notice to Remove Snow and/or Ice from Sidewalk at 814 PRIOR AVENUE NORTH.
Sponsors: Jalali
Grant the appeal.
Jim Maxa, owner, appeared via phone
[Moermond gives background of appeals process]
Staff report by Supervisor Richard Kedrowski: on March 2, 2022 a snow complaint was sent to the property and before the reinspection date it had been closed due to new snowfall. But then following that, March 8 after 24 hours lapsed from the new snow, the inspector went by and saw the walk was covered with the new snowfall. A new order was sent out. And upon reinspection that was removed, so it was closed.
Moermond: why did you appeal?
Maxa: they called me yesterday to see if I wanted to drop this since the snow was gone. I want this into a file. We have been in the building since 1976. We have never had a problem like we have this past winter with the plows. It is my warehouse, a sidewalk, and a street that is it. They normally slow down so they just go up in a small

area. They come by at speed, a number of times this winter, on a weekend they come through and the whole street gets thrown on the sidewalk and freezes. So we have 8 inches of ice we can't get through. We'd be out all week with jackhammers. We have called Public Works. Our neighbors have also called. The last snowfall my neighbor was down here on the weekend and shoveled the small area in front of his business. The plow then came through while he was standing there and covered the sidewalk. He was upset and gave them a hand gesture as they went by and they gave it to him right back. Is that how City employees operate? I have kept this sidewalk clear for 40 years. They have done in for 40 years, but they won't do it this year. I want it in the file so when this happens next year they can look at this.

Moermond: what I will do is make sure the Councilmember and Director of Public Works have this information. We'll email a copy of the notes and your appeal so the people at the top can see what the experience and customer service issue was with your neighbor was. I am disappointed to hear that. We have a nice record of the situation so hopefully that will help. As they put together their plans for next year they can incorporate these concerns.

Maxa: if it happens during the week it isn't much of a problem, but if it happens on a weekend it freezes. They just need to slow down. They have for 40 years. They can see what the result of their work will do. They always have, they slow down and keep it clear, and everyone is happy. For some reason the operators this year don't care. If they have been asked to slow down it has gone on deaf ears. We don't know what else to do, we have tried.

Moermond: I appreciate your comments, this is good for improving services moving forward. Thank you for being a good citizen.

Maxa: I appreciate your time because we don't know where else to go. I know the sidewalk needs to be clear. We clear things in the back for the neighbors in the parking lot in their garages. We've done it for 40 years.

Moermond: we'll talk to the powers that be about what we've heard today.

Maxa: I appreciate that.

Referred to the City Council due back on 4/6/2022

Correction Orders

Orders to Vacate Code Enforcement

1:00 p.m. Hearings

Vacant Building Registrations

- 9 RLH VBR** Appeal of Angela Pierach to a Vacant Building Registration Renewal
22-16 Notice at 779 RAYMOND AVENUE.

Sponsors: Jalali

Waive VB fee for 90 days (June 30, 2022) and allow permits to be pulled.

Angela Pierach, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: this is a Category 1 Vacant Building last March 21, 2021 by inspector Hoffman. Per a referral due to a Certificate of Occupancy revocation by Fire Inspections. April 13, 2021 this came in front of you and you allowed the Vacant Building fee to go to assessment and would consider proration if the Certificate of Occupancy was reinstated within 90 days. Currently it is vacant and secure, no nuisance complaints, and from what I can tell plan review is currently processing some plans and there is a pending building permit depending on outcome of that review.

Moermond: tell me about your appeal Ms. Pierach?

Pierach: it is just bad timing right now since we had to go through 2 sets of drawings with our architect and contractor because prices are so high right now. It is way over what we can afford for this restaurant. We had to put our plans on hold due to Covid. We have all the things we need it has just been a lot of back and forth with numbers. Because of where the buildings are we did connect the two address, 779 and 781 with a lawyer. They will be connected by a vestibule so it is one entity. Because of timing we just got our initial comments back from the City to pull permits. For me to get a Certificate of Occupancy in 90 days isn't feasible. Construction is going to take 7 months. I know I'll have to pay; I'd like it delayed or prorated again. It is really hard to pay these fees over and over when it is one step forward, two steps back. I'm hoping a year from now we'll be done; it definitely won't be vacant.

Moermond: you're telling me a 90 day waiver won't do much, which I get. I'm going to say let's let this ride to assessment. We'll put the 90 day waiver in so you can pull your building permit. We know the fees will come forward. Your fee is due March 31, so a 7 month project we'd be looking at six months in October. That's half a year, basically seven months from now. I think we should look at it then and see how close you are and talk about prorating it then. Just let it ride now.

Pierach: that seems fair. We're at the mercy of everyone else now. I don't want to keep getting penalized with this fee. We are using the space above as an office, I don't know if that changes anything. Its fully occupied above 781. But 779 which is the completely vacant building, we've merged them under one address.

Moermond: I'm afraid it would still qualify as a registered Vacant Building. I hear you.

Pierach; is it because it doesn't have a Certificate of Occupancy?

Moermond: no, a building can be partially in the program. The connection of the building followed the original Vacant Building won't change that. I see where you're going though. Let's let this ride and hope we can cut this in half then, and if necessary make it payable over a couple of years while you're starting up.

Pierach: that sounds good.

Moermond: I wish you all good luck as you move forward.

Referred to the City Council due back on 4/6/2022

1:30 p.m. Hearings**Orders To Vacate - Fire Certificate of Occupancy**

- 10 [RLH VO 22-12](#) Appeal of Lakisha Carpenter, Tenant, to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 1842 STILLWATER AVENUE.

Sponsors: Prince

Layover to LH 1:30 pm March 29, 2022. Property to be exterminated by COB Friday, March 25 and reinspected Monday, March 28.

*Lakisha Carpenter, tenant, appeared in person
Aron Griffin, program manager Lutheran Social Services, appeared in person
Luke Steive, case manager Lutheran Social Services, appeared in person
Marlene Leiva, owner, did not appear*

Voicemail for Leiva left at 1:33 pm: this is Marcia Moermond from St. Paul City Council calling about your property at 1842 Stillwater. We're about to begin a hearing. We'll try back in 2 minutes.

Voicemail for Leiva left at 1:39 pm: good afternoon again, this Marcia Moermond trying to call you into a hearing about your property. If you want to participate please call the desk at 651-266-8560 and they can let us know and we can call you in again .

[Moermond gives background of appeals process]

Moermond: there are cases where I may need to put a temporary recommendation on the record in cases like these. Something in the short term until it goes to Council. We'll see in the course of the discussion what is going on. I'm only looking at the March 14 orders, the current orders on the property. That's all that is in front of me, I know there is some history.

Staff report by Supervisor Leanna Shaff: on February 25, 2022 we received a complaint that sewage comes up from main drain, rodents in the home, a shrew was caught in the home, and mold in the basement and bathroom ceiling. Inspectors Thomas and Ganzel responded. They wrote orders and took photos. Inspector Thomas made comment that the house cannot be exterminated due to clothing and trash through the house. He gave 10 days to have it cleaned out before reinspection.

Moermond: so two inspectors gave 10 days in order for someone to do extermination.

Shaff: on the 11th Thomas did a reinspection and was denied access. He went back on the 14th and found the conditions were not corrected. He cites sanitation and does say there may be two collars on the main sewer stack that are dripping when the toilet is flushed. He issued orders for removing garbage, sanitation, extermination, etcetera to the property representative. Those orders are being appealed today.

Moermond: was the property representative at these inspections?

Shaff: *I don't have an answer to that.*

Moermond: *and main items leading to the condemnation?*

Shaff: *the sewage and garbage through the house. Items 2, 6, 8.*

Moermond: *7, rodent infestation isn't a principle violation leading to the condemnation?*

Shaff: *yes.*

Moermond: *and number 8. Anything else?*

Shaff: *item 10.*

Moermond: *I'm trying to find the higher vs. lower priority issues if we put together a plan on how to tackle this. The principle violations would get you out of the order to vacate sooner.*

Griffin: *can you repeat the Principle violations?*

Moermond: *Item 2, items from front porch. Item 6, maintaining interior in clean and sanitary conditions, item 7 has to do with extermination, item 8 is combustible materials in basement and throughout house, and number 10 remove food and drink containers from floors and dressers throughout the house. Those are the principle ones. So this was a relatively fast turnaround, but let's talk about why you are appealing and what you are looking for.*

Carpenter: *I first called the City September 6, 2019. They've just been reissued over and over. March is the first time they ever told me I needed to clean up or anything like that. The bags around the house I consider my property damaged due to mildew, feces, moisture. The basement is supposed to have a bedroom, we've never been able to use it. My children and I have no place to go. I asked Thomas about what combustible items are. There's nothing that will blow up. The bags he's considering garbage? Those are things we lost due to the condition of the home. This has been going on for 2 years. She got involved because the inspector was able to keep reiterating the orders over and over. I have to find the video. The blame suddenly turns to me as to why it is being condemned, in terms of sanitation. There's sewage coming up, sewer gas, the rodents. They say food, I have six kids. He took a picture of a cup on the dresser my daughter was drinking. Just more finger pointing. In terms of my house being in that condition? These are mandated reporters. Why wasn't child protection contacted?*

Moermond: *inspectors aren't mandated reports.*

Carpenter: *anybody. They've been present every inspection. In terms of not letting them in. I got Angie and Leanna involved because Ganzel keeps saying over and over I deny entry. I have emailed for 2 years and I got Leanna and Angie involved.*

Moermond: *in the hearing room she is Ms. Shaff.*

Carpenter: *we got into a first name bases because I've had so much contact with them. I'd have them come out because of mold. They let them spray Killz on the mold and considered it fixed. It came back through over and over again. Around the Killz its just growing. We have 2 huge trees they say is causing the drain backup. A plumber*

has never come. They would snake it and it would come back up again. My son has been diagnosed and hospitalized with asthma because of the environmental toxicity. No one can reach the manager to get the repairs done yet the City has deemed them fixed when they clearly haven't. They have been pacified at best. I asked Ms. Shaff why is the inspector able to reiterate the same citation to fix the problem and you come and say it is fixed?

Moermond: I heard you on that but at the same time I am hearing it is fixed and it comes back again. That's different than saying it hasn't been fixed. I was hearing you say it was fixed and it came back again with the drain. It was snaked, got approved, and came back. With mold remediation, I don't know what was used, it appeared taken care of, you say it wasn't. I wanted to be clear I'm trying to keep everyone in a place where they are not operating in bad faith. I heard you say earlier you felt like these were being blamed on you as the tenant. I haven't heard myself, nor myself said, the attribution belongs to landlord or tenant simply that the problems exist. Let's talk about conditions and how to fix them, which may lead to assigning things to people and responsibility. Now I will turn it back over to you.

Carpenter: I have never denied access to the home. When I say the City deemed it fixed, not me, and if it was fixed it wouldn't keep happening. I want it remedied. Why are they putting me in the street when I've done nothing but reach out to people and go out to the chain of command? I would never deny access. It has a lot of "tenant needs to do this" in the report. Luke from Lutheran Social Services was there and can verify everything the inspector asked to be removed I removed. He never came back in to look and see it had been removed.

Stieve: to that point, at the inspection on the 14th I can add the landlord didn't come. I was present, and a housing specialist from Lutheran Social Services, as well as the 2 inspectors. We did make a plan that day and Ms. Carpenter needed to remove the combustible materials, cleanup the general trash around the unit and basement, and she had some clutter. We did before the prior inspection; prior it had been things not for her to do. On this inspection with the 10 days it was clear the things that needed to be done. I was there on Friday the original inspection date; we didn't know with the appeal it got pushed back. I can state that on Friday the landlord wasn't there. She did remove the combustible materials from the front. There is a picture of grease under the sink, she removed that. The clutter and garbage from around the house; there were cereal boxes he asked not to be open due to mice. She made an effort to remedy those in 10 days. We haven't heard from the landlord as Lutheran Social Services. We do pay for the subsidy. We haven't heard back through this process. Last time I saw an inspection in person was the one Ms. Shaff attended, and the property manager was there. That was the only and last time.

Moermond: so these things get written up and they were being addressed soon after. That kind of write up happens when we have smoke detectors that aren't functioning. Saying that needs to be fixed right now, but it will still appear in orders as violation. So that may be the case the violation happened and remedy happened soon after. I understand where you are coming from on that.

Stieve: the plan over the months has been trying to move. She doesn't want to remain indefinitely. She has been looking for locations to move to. The frustrations and conditions she's described she by no means wants to stay. It is a stressor and overwhelming for her. Through the process we haven't been able to find a place. We are trying to remedy it so it isn't condemned but also looking for a permanent long-term solution as well.

Moermond: it is unfortunate we don't have them on the line. One question I have as background, and I don't know how Lutheran Social Services fits in, when I hear of long term violations of this nature I hear about SMRLS becoming involved and a rent escrow or emergency tenant remedy action being taken. Pulling out rent through court and using it to get the drain taken care of, floor replaced, those types of things. Has that avenue been pursued? Thinking about problem solving.

Griffin: I'm the program manager for the program. We did hold back rent after the first failed inspection, that's part of policies for administering the subsidies. We have been trying to contact this landlord for 2 months now to get this remedied. We haven't been able to find them. We also had some paperwork because Ms. Carpenter is in a month to month lease. We did have another voucher that the landlord wasn't responding to, to see if we could move her. We had to get that in by February 25. Landlord was not responsive to see if we could get out of the lease. We worked over the weekend to track down the landlord so we could move Ms. Carpenter and her family. Landlord wasn't responsive, as they are now, we are holding rent and not paying the subsidy. It is escrowed in the subsidy administration Department currently. Our concern is we don't want her on the street. We're trying to track down somewhere for her to go in the meantime. As far as the condition in the unit, a lot has been done and we've identified—

Stieve: we have a cleaning service we have reached out to. Ms. Carpenter has stated in the past it is overwhelming. Some is general cleanliness. We have reached out.

Moermond: one thing I didn't ask, who composes this family?

Carpenter: myself and my six kids. 20, 17, 10, 8, 4 and 5. The rent did get paid in March.

Griffin: it did pass a City inspection last September. Then after this last inspection we did an HQS inspection we did find the right the rent be withheld. We sent a letter to the landlord on March 2 about the different things that need to be addressed during the HQS inspection and we haven't heard from the landlord. We held it initially in September and August of last year, then it passed that inspection. Then we paid our subsidy per our contract. Then this came about March 2 when it didn't pass the HQS inspection.

Moermond: for what time period? And is the rent applied to repairs or just withheld and kept in your funds?

Griffin: just withheld right now. We haven't had contact since before February unfortunately.

Stieve: how long since you've had contact?

Carpenter: in June when they did an inspection. The video I wanted to submit, they told them to fix all these items. I kept asking them why they deem it fixed but you're out here with the same issues. It is frustrating to me when we can't use the laundry room. There were 7 days where sewage was four inches thick. How me as a mother when I'm reaching out to the City for help, I'm begging someone to help from living in this house like this. It just kept getting reiterated. While everyone is outside worrying about Covid we were scared of our own air in our house. No one was doing anything. They would say it was fixed but it would come up again. I asked why they keep saying it was fixed

when it is an going problem. I moved in August 2019. First time I contacted the City was September 2019. I had to bag up stuff, it was floating in poo. Then I set it by the trash can, and the City tells me I can't have that many bags. I have a small washer and six kids. I pile my clothes in the floor and wash as I can and then here comes the sewer. Pillows, blankets, I had four twin beds for the little kids. Brand new from Lutheran Social Services. We had to throw them away. Dressers. Anytime they said it was fixed we'd move back down there. Over and over.

Moermond: where are we at with sewage?

Carpenter: it has subsided but there is residue. The inspector told me I needed to clean it up. They painted the floor in June. They didn't clean it up. The sewage has soaked into the walls, the woods. The mold is growing. It slowly subsides when no one does anything. They come out this last time and there's the residue indicative of the drain again. They tell me to throw the bags.

Moermond: so you had your cans filled and extra bags beside the can and the company didn't pick those up. You have to call the hauler about the extra bags

Carpenter: and I didn't know how it works, I reached out to the manager to get an extra can or something. I've been trying to communicate from day 1. I would go up the ladder because I wasn't getting help. I reached out to City Council since they were condemning it suddenly when it has been like this for 2 years. We don't have anywhere to go. If I had money to leave I would have been gone. I just want a safe place for me and my kids.

Moermond: do you have a relationship with House Calls?

Stieve: I called them yesterday. I haven't used them before. They definitely were asking questions about the commendation. I told them about today's appeal and they asked we follow up after today.

Moermond: I do know they have housekeeping services and that sounds like it may be necessary. I also want to say the sewage history I'm surprised I haven't seen a condemnation and order to vacate before now. I have seen condemnations based on these conditions previously. Some have been dealt with. Some need to be.

Carpenter: anything I could bring I brought to my mom's house. I got rid of it the day they told me to get rid of it.

Moermond: I was looking for information the house is ready to be exterminated. That level of cleanout. That allows you to move to the next step. I kind of have to leave the capital improvement, the sewer line problem. You probably need a camera down the line, who knows how expensive the fix will be.

Carpenter: the initial owners I signed the lease with sold it in May. They refused to keep up.

Moermond: last sold May 18, 2021. And they brought in new management then?

Carpenter: yes.

Shaff: I believe Ms. Carpenter is overwhelmed in the keeping of her home. It is quite apparent from photos and being inside, which was last in early October, that there is

more that needs to be done in terms of general housekeeping. The other piece of services provided is them being accepted. There is excessive wear and tear on the home. Typically that, while ultimately the owner's responsibility, it is excessive. It is hard to exterminate when there is food out and sanitation issues. The inspectors talked to me about sticking to the floor in the kitchen. There was flypaper hanging there last fall.

Carpenter: I have fruit flies' year round from the moisture in the home. I'd like to submit the conditions of the home when I moved in.

Moermond: you can, and I'm all about the current conditions. Where are Lutheran Social Services at in their ability to hire an exterminator? Or would you rely on House Calls? What is going on?

Griffin: traditionally it isn't something we do but on an emergency we leave all options are on the table. We've been asking the landlord to help. We were able to get orders in the past to have the landlord to do it. I understand the inspector's concern with some of the combustible material and the clutter. That stuff is removed. It is ready for extermination. Now it's whether we can get the landlord to do, us, the subsidy portion of our company to use the escrowed funds. Once we have a plan moving forward.

Moermond: I'm taking at face value the cleaning has been taken care of sufficiently to get an exterminator in. I think it is reasonable they need to be through there by the end of the week so I can have an inspector go in Monday and we can talk on Tuesday and follow up on that. I don't care who pays for it. By virtue of it being in the orders, no one is getting a warrant on these orders. What will happen is failure to comply leads to the house being vacated. That's the other shoe to drop, and we don't want to get to that. That's a top priority, I don't care who pays for it.

Stieve: understood.

Moermond: we'll get an inspector in on Monday and we can do an update. In the meantime we'll keep enforcement stayed and we'll talk again Tuesday. How are the kids situated in the house? Adequate bedding, space for sleeping?

Carpenter: we're all in my room because I have had to get rid of their beds. They have woken up screaming because mice ran across them. There are 3 beds.

Moermond: I'm looking at overcrowding within the sleeping rooms. It's a square footage question and getting out of the house in an emergency.

Carpenter: 70 square feet minimum for 1 person. Each additional person gets 50. That means 2 gets 100 square feet. That would mean we'd need a huge room before it can be used that way.

Moermond: the City is receptive to using other rooms for sleeping but there must be a window for people to get out of.

Shaff: it needs to go directly outside. They do have an enclosed porch. You also need carbons and smoke detectors in each room.

Carpenter: I've had to call the Fire Department several times because the Carbon monoxide detectors have gone off.

Moermond: and project safe haven may be a good resource. They are pretty generous in helping with that. So we have a short term plan of action. I invite you to send anything you want me to be aware of so I can have it before the next hearing

Stieve: what are the steps she needs to take? She's fixed the needed things for the apartment, but aside from maintaining that? What are we asking Ms. Carpenter to do?

Moermond: I'm not asking her anything in particular. In order to continue discussion about her not leaving, we need it cleaned out and exterminated this week. Who does what I don't concern myself with. I'm not saying who, it just needs to happen. We'll meet again next week at the same time.

Laid Over to the Legislative Hearings due back on 3/29/2022

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 11 [RLH FCO 22-27](#) Appeal of Barry W. Kostyk to a Fire Inspection Correction Notice at 351 HOPE STREET.

Sponsors: Prince

Layover to LH April 5, 2022 at 2 pm for further discussion.

Barry Kostyk, owner, appeared via phone

[Moermond gives background of appeals process]

Kostyk: and I'm not disagreeing with anything other than the 3rd item.

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy inspection done by Inspector Thomas. The initial inspection February 23 resulted in 18 items and a grade C. It seems the item in question is item 3 which talks about providing and maintain a fire rated ceiling with approved material and methods. That is supposed to be one hour fire rating. The pictures Thomas took today are loaded. It is clear there are penetrations through the ceiling assembly. We need 5/8 gyp-board type X. There may have been some spray foam put in but we have no idea what that is. It typically doesn't mean that one hour rating. It did have a Code Compliance as a Category 2 Vacant Building back in 2013. It is a triplex. You can't see it in the pictures but the other thing Inspector Thomas talked about is in the room where the water heater and heating equipment is there is ceiling missing and in parts pulled down. It isn't a matter of space, it's a matter of maintaining fire resistant construction throughout the basement. It doesn't meet the definition of incidental use as submitted by appellant.

Kostyk: I don't have a problem with the deficiencies other than the 3rd one. The basement is cited as a hazardous area as defined in the incidental use area in Code 1105.3. There are actually two areas of the basement, neither of which meet the definition of an incidental use area. One area is a large utility room that is locked and inaccessible to tenants which contains two small boilers. The other area was once a laundry area but is not operable since the laundry equipment was damaged and disconnected before I bought the building in 2013. I sent pictures in showing the equipment is inoperable but since then I've even removed them. I sent in updated

pictures Monday morning showing it isn't even a laundry room anymore. It definitely isn't an incidental use area because a laundry room greater than 100 square feet. The definition of incidental use area under that section includes a room with boilers with the largest one exceeding 400,000 BTU. A 400,000 BTU boiler would heat an 8,000 Square foot apartment. None of these apartments are anywhere near that. The two boilers are only 60,000 BTUs far below that threshold. The utility room doesn't meet the definition of a hazardous area. Although it is not in the deficiency list, yesterday I had an ORSAT test done on the boilers that show they are operating efficiently and safely. I sent this report to your email address. At the time of inspection the Inspector said he didn't know how many BTUs the boilers were and so was citing the utility room. The pictures I sent in show the BTUs listed on the side of the boilers clearly. Likewise, for the nonfunctioning laundry area, the equipment did not function and never has since I bought the building. Inspector said it didn't matter because it could be made to work and so was citing this area as well. That room has fire rated sheetrock and 3M fire stop foam. I talked to 3M about it. It is missing in a couple of the openings and the inspector said the 3M product was unacceptable and all that needed to be replaced was caulk. I sent some emails to him with questions regarding possible products but he has never responded to me. The building has been a rental for many years before I purchased it and it was obviously passed by the City. There has been no change in condition. The person I bought it from said it was inspected by the City before I bought it and it has been inspected by the Fire Safety Department since then. There have been no changes to the utility room since I bought it and it has passed all other inspections. It has been inspected by Section 8 when I had such tenants living there and passed. I'm requesting the list be corrected and the item about the basement be removed. I originally requested this hearing to request the reinspection date be pushed back because various contractors I spoke with were unavailable until May. When I first received the notice I called Thomas and told him that I was out of town and that is how that was scheduled February 23. I felt I had no choice but to this appeal since the Inspector had previously refused to reschedule the initial inspection when I told him a few days prior to the 23rd that the picture window and adjacent window were smashed by a tenant's ex-husband. I knew that would be a problem already but he refused to do it. That's why I thought ok, he's refusing rescheduling so that's why I filed the appeal. The original purpose of the appeal was to try to fix the timing issue to get it corrected but since I have read the definition and assuming this deficiency is removed can we reschedule the inspection this Thursday?

Moermond: that inspection is stayed pending the outcome of this appeal, so sit tight on that. Ms. Shaff, any comments?

Shaff: when you cite incidental use areas you are citing MN State Fire Code. You're talking about section 1105.3 which was not cited in your deficiency list.

Kostyk: yes it was, it cites 110.5.1 which refers to the stuff below.

Shaff: it cites 1105.1 that talks about the occupancy separations have to be maintained. It also cites section 704.1 which says it has to be maintained as well. It is quite clear from both the Code Compliance report and conditions of the building that the basement separation hasn't been maintained. It has changed. We don't know what the foam is. You haven't provided any paperwork on it. It is clear there was intumescent caulk in the joints at one point but you foamed over some areas. We need some cut sheets on that foam from you. We do require a 1 hour separation in the basement as required by MN State Fire Code.

Kostyk: so there are 2 parts to this. The one area that used to be laundry room, and

one area that used to be a utility room. So you're talking about the laundry room, because as I said it has fire rated sheetrock with this foam on it regarding where the penetrations. The utility room has nothing on the ceiling. I gave Thomas information on the foam. I copied and pasted some stuff to him and sent it to him and he said I need a link. I sent that to him and he never responded. That's fine, from my perspective 701.1 said its grandfathered in if it wasn't used when the house was originally built all bets are off. It all comes down to the occupancy next to hazardous waste areas, defining the utility and laundry room as a hazardous areas. 1105.3 neither area in the basement is a hazard adjacent to an occupied area. There are also smoke detectors in every room.

Moermond: I am hearing your argument. Ms. Shaff, what is the required fire separation between apartments?

Shaff: one hour

Moermond: so same as an apartment and an attic and apartment and a basement?

Shaff: yes.

Moermond: so it doesn't matter what is on the other side. Each compartment has to be compartmentalized.

Shaff: yes.

Kostyk: so the definition I was given has nothing to do with this?

Shaff: both sections are cited. 704.1 and 1105.1 says mixed occupancies within the same building AND hazardous areas shall be separated in accordance with 1105.2 etc. 704.1 talks about maintaining protection. The protection has not been maintained throughout the entirety of the ceiling assembly for the basement.

Moermond: I heard you make an argument that you thought it didn't need to be because it wasn't a construction material at time of building.

Shaff: it isn't an incidental use area.

Kostyk: what isn't? the basement?

Shaff: correct.

Kostyk: it just defined it in 1105.3. It was pretty clear. I guess I'm misunderstanding here. It says right in here 'incidental use areas are defined as: shops, laboratories containing hazardous materials, laundry rooms exceeding 100 square feet, rooms containing boilers or central heating plants with the largest piece of fuel equipment exceeds 400,000 BTUs. That's very clear to me. How can you say it isn't? That is the definition of an incidental use area. That's what was cited, 1105.1 which is specifically for mixed occupancies and hazardous areas. So if it's a hazardous area next to mixed occupancy areas. That's the way I'm reading it. I guess I would say, this was inspected by the City since I've owned it, just before I bought it, and numerous times. Nothing has changed in the basement in the utility room area.

Moermond: were you the one who did the Code Compliance on it?

Shaff: that was the John Shuester group.

[Kostyk was disconnected and 2:57 and called back in at 2:58]

Moermond: any other comments you want me to consider in this?

Kostyk: yes, I do. Why when it specifically states 1105.1? To me that means separating an occupied area from a hazardous area. The other part talks about an incidental use area. It is clear from what is described neither part of the basement meets that criteria so neither part of the basement is a hazardous area. So no issue of separation for occupancies per 1105. 704.1 would not be referring to that utility room area, it would be the former laundry room area which does have the fire barrier form. I can change it if it is an issue. Unprotected voids do not need to be protected because they weren't required to be protected when the building originally was constructed.

Moermond: you are reiterating your argument, thank you. Any additional facts?

Kostyk: facts I want to be aware of. I want to know the answers to the questions. Why wasn't it cited before? Put that on the record.

Moermond: and I don't know the answer to that, I only can deal with what is in front of me right now. I'll review the code in this case so I want to take a beat and give it another read through to give you the benefit on this one. We'll respond with a letter with my recommendation in it.

Kostyk: I'm serious, I want to understand what is being said here. It says don't worry about what it says in 1105 or 704.1, there is something else that says every part of a building has to have the ceiling and the floor—

Moermond: sir, I think I read the title of that section differently than you do. Ms. Shaff, separation of mixed uses and hazardous uses?

Shaff: 1105.1 says "Mixed occupancies within the same building and hazardous areas shall be separated in accordance with Sections 1105.2 through 1105.3.2.1.

Moermond: the question I have in your interpretation sir, that I want to reflect upon more is legally what they are trying to say in the Code. This is legalese we are wrestling with. Separation of occupancy and hazardous occupancy. I don't know if it should be separation of occupancies AND separation of hazardous, that that is implied therein. I want to begin there and I do want to give it another read through. Let's set up a time to get this squared away. Let's talk again April 5 and put it to bed then.

Laid Over to the Legislative Hearings due back on 4/5/2022

**12 RLH FCO
22-26**

Appeal of Viet Tran, dba Stryker Auto Body, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 584 STRYKER AVENUE.

Sponsors: Noecker

Grant to August 1, 2022 for compliance.

*Viet Tran, owner Stryker Auto Body, appeared via phone
Tam Tran, son of Viet Tran, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy inspection done by Inspector Imbertson. The only thing left was the back spray booth and mixing room out of state fire code are required 12 year hydrostatic testing for the fire suppression tanks. Per the 10/13/21 tests the tanks may need to be replaced due to being obsolete from the manufacturer. Inspector notes say that the system is operating safely and required to have a hydrotest but it is something that can't be done since it is obsolete. No test, no certification of the system.

Moermond: when you put your appeal out there you attached a bid from Summit and their bid is \$18,000. That's substantial and affecting your ability to move quickly. Tell me about that.

Tam Tran: instead of accepting the appeal from Summit they found Nardini who gave him a bid of \$15,300 which he signed and accepted.

Moermond: oh ok, you're using a different company. That's fine. What kind of timeline are you looking on?

Tam Tran: it would be 8 weeks.

Moermond: ok, because this is Covid and there are shortages happening, I will give you 4 months. We'll say to August 1, 2022.

Tam Tran: that's plenty of time, thank you.

Moermond: it sounds like you signed the contract, in the future if you have major repairs the City may be able to provide assistance to you. We can include information on that to you, for future reference.

Tam Tran: so for now we have four months to get this fixed and inspected?

Moermond: yes, you'll hear from an inspector after August .

Tam Tran: and by that time it should be done.

Shaff: Nardini should be pulling the required permits. If it gets done sooner contact Inspector Imbertson once the permits are finalized.

Tam Tran: so if we get it done before four months we should contact him?

Shaff: yes if you do get it done.

Referred to the City Council due back on 4/6/2022