



City of Saint Paul

City Hall and Court House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Master

File Number: RLH VBR 21-33

File ID: RLH VBR 21-33

Type: Resolution LH Vacant
Building Registration

Status: Passed

Version: 2

**Contact
Number:**

In Control: City Council

File Created: 05/24/2021

File Name: 329 Lawson Ave

Final Action: 07/07/2021

Title: Appeal of Kenneth D. Burnett to a Vacant Building Registration Fee at 329
LAWSON AVENUE WEST.

Notes: RN spoke to appellant & sent e-mail. LH on 6/8/21 between 2:30 p.m. and 4:00 p.m. Staff will call 651-260-3828.

Kenneth D Burnett

kenneth.burnett@state.mn.us. email address on appeal application is wrong.

Agenda Date: 07/07/2021

Agenda Number: 55

Sponsors: Brendmoen

Enactment Date:

Attachments: 329 Lawson Ave W.appeal.5-24-21, 329 Lawson Ave
W.obstruction permit 5-24-21, 329 Lawson Ave
W.photos 2-9-21, 329 Lawson Ave W.Referral
Response.2-8-21.pdf, 329 Lawson Ave W.Fire report
2.8.21.pdf, 329 Lawson Ave W.Burnett Ltr.6-11-21,
329 Lawson Ave W.Burnett Ltr.6-17-21, 329 Lawson
Ave W.Fire Report #1.6-23-21.pdf, 329 Lawson Ave
W.Fire Report #2.6-23-21.pdf, 329 Lawson Ave W.Fire
Report #3.6-23-21.pdf

Financials Included?:

Contact Name:

Hearing Date:

Entered by: Racquel.Naylor@ci.stpaul.mn.us

Ord Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Legislative Hearings	06/08/2021	Laid Over	Legislative Hearings	06/15/2021		
	Action Text:	Laid Over to the Legislative Hearings due back on 6/15/2021					
	Notes:	Layover to LH June 15, 2021 at 2:30 (PO unable to be reached). Allow permits to be pulled.					

[tried calling at 3:19 pm at x6038 on June 8,2021: unable to leave message]

1 Legislative Hearings 06/15/2021 Referred City Council 07/07/2021

Action Text: Referred to the City Council due back on 7/7/2021

Notes: Deny the appeal of the VB registration.

Kenneth Burnett, owner, appeared via phone

[Moermond gives background of appeals process]

Moermond: did you get squared away as far as your ability to pull permits?

Burnett: so far I haven't come to anybody at 24-hour store. I was dealing with my agent and no one is there. I went by today. At the end of the week I'm going to reach out to my agent again. I haven't talked to him since the permits been lifted. I don't know what is going on with them so far. They know I talked to you guys. I'm going on vacation next week. I'm trying to get them going on when they are going to start doing my house. It has been going on a long time. I just found out after talking to the claim adjuster. Mai Vang said the insurance company should be paying for it. The insurance money is gone to fix my house. Two days after the fire, all that trauma, I got 24 hours signed papers to start working on this. So far the house is torn apart. They started changing the house from a duplex and did some framing. HVAC was trying to pull a permit and you cut it off. I told them they could now and I haven't heard from them. This has been very traumatic to me with all this stuff going on. I have to pay this new thing you have and I never got a letter saying it was a City ordinance. I didn't know until the past due notice came. I wasn't sure what was going on. But yeah, so I'm just waiting for them to get HVAC back out there. They never give me updates. They just said don't call unless it is important. That's a bad vibe, they are moving pretty slow. I can't wait to get back in my house. I signed papers 2 days after the fire. It has been very hard. I've been going through a lot of ups and down with stress and being depressed about this whole thing. The guy burning my house down with a cigarette and everything else going on right now. I don't want anyone to go through this, it is really hard. I'm trying to get back to my house and my life, but I get nothing but discouragement after discouragement. Now you want to impose this fee on me. It isn't coming out insurance, it is coming out of my pocket. So I'm being penalized again. They have to know you don't put nails in plywood. It won't keep anyone out. They broke in twice because they didn't put screws in. I lost two televisions, a movie camera, some old coins. Now we're here. I don't know what to say.

Moermond: I'm just looking to see what's going on with the boardings? You said there was a boarding?

Burnett: they had a guy come out that night. I was out there with my wife and my dogs and the guy boarded it up with nails. That was a guy called from the City to board it. They didn't secure it. You need to put screws in, then they can't get in the plywood. You need to correct that so the next person doesn't get vandalized. So now I'm getting charge \$288 for a house you didn't even secure. I took that loss. Now I'm back here for \$2,127.

Moermond: that's J2109B, not scheduled for Council until July 21. Did I understand that this was your neighbor who started the fire? And it took your house too?

Burnett: yes, 331 West Lawson. The Fire Marshal told me he was home. I called the Fire Department, it was strange. He said it started with a cigarette. Burning the ceiling to the duplex up there, that's when I happened to wake up. I heard a big bang. Thank God I wasn't upstairs sleeping. It didn't take long for the fire to start billowing the room with smoke. I went back that day and the next day they broke in downstairs between the houses. I know for sure it is the meth addict upstairs. He's been robbing people. He broke into his apartment and then into mine. I had to pay \$585 to board upstairs and downstairs and put a stud on the garage so they don't break in there and then board the windows so they didn't cut the stud. That's how it started. They said a cigarette. I lost my brother and four cousins in a fire. It has been hard. They still haven't pulled electrical, it thought they had. I know that's open right now. I have to do my roof, siding. It is a lot of work.

Moermond: have they given you an estimate on when they may be done?

Burnett: in the beginning, June 30. Well, I got news for you, it won't be done by October unless we're lucky. I don't have a lot of confidence in them. I've been very disappointed. It will be past July 21. They aren't even one third done. All I know is it has fallen on me

Moermond: When there is a fire this extensive the property does automatically end up in the vacant building program. They put a 90-day waiver in place. When you are dealing with insurance 90 days isn't a long length of time. Staff put another 90 days in. So we're six months out. That's why you're getting the letter now. I know it seems surprising; it was intended to be a kindness. It may not read that way. I will tell you there's a couple things I can do, but I need to explain it involves bureaucratic machinery again. The first thing is that boarding, we can talk about that. I would like to set it up so you're appealing that so we can talk if that is a reasonable fee for that service. I'm going to have staff reach out and schedule a time for us to have that conversation. The other thing, I'm going to let this bill float to assessment. I have a lot more tools to decrease this as an assessment than I do as bill. I can only delay or delete it as a bill. It's already been six months. But if we get into assessments I can look at decreases and payments over time. I have more flexibility in managing it. I'd like to do that so we can have more of a problem-solving conversation around it.

Burnett: the thing about an assessment. You're going to charge me the money either way. I might as well put it on my card and get it over with.

Moermond: the longer we wait to talk about it, it isn't accruing interest. So best to hold off as long as possible. I'm to ask Ms. Vang, although your assessment is scheduled to go to Council July 21, I'm going to push that into the fall. I'd like to have a conversation about that and the Vacant Building fee maybe in September and October. We'll have a better idea of what is going on with your house being fixed up by then and be able to work with it that way. Does that sound ok?

Burnett: sure, that gives me more time. I hope they start doing my house. I am frustrated with the company.

Moermond: all the construction services and materials are so tight because of Covid. That makes it even worse.

Burnett: yes. No one wants to work and can't find people to drive trucks. There will be a lot of roadblocks. Floor and sheetrock. I just hope I get back in this fall. I don't want to move in the winter. There's so much stuff I have to go through.

Moermond: we can talk in the fall and have better information then. In the meantime, there's no interest collecting on the vacant building fee or your boarding assessment. It is just going to sit there until we talk.

Burnett: yeah.

Moermond: that's cheaper than putting it on your charge card.

Burnett: when I talked to the inspector he said the guy next door is trying to sell the house. They were trying to sell it before the fire. I hope 331 West Lawson is taken down. I don't know if you can tell me. They haven't done anything yet.

Moermond: I sure don't know. We'll send you a follow up email confirming all of this so you have that. For now, it is a vacant building, so whoever the contractor is does need to go to DSI in person to pull permits. They can't do it online.

Dornfeld: I have nothing to add you haven't said already.

Moermond: we'll talk again in a couple months. Have a good summer.

2 Mayor's Office 07/09/2021 Signed
Action Text: Signed
