



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, May 23, 2017

9:00 AM

Room 330 City Hall & Court House

6 [SR 17-45](#) Request for Stay of Enforcement of Order to Remove or Repair at 106 KING STREET EAST.

Sponsors: Noecker

Put a resolution for June 7 Public Hearing.

Molly and Lauron Morgan appeared.

Marcia Moermond:

- the Council grants you 180 days and the work is not done yet*
- going back to make some findings on that*
- figuring out how to move forward*
- you are past the 50% mark*
- need to put a bow on this thing legally*

Steve Magner:

- Mr. Seeger and Mr. Yanarrelly went out to the property yesterday to take a look around and took photos*
- will share that with Ms. Moermond*
- Mr. Seeger indicated he believes 65% of the project is completed*
- there are couple concerns 1) have not reached 100% completion (180 days have come and gone); 2) the accessory structure (single detached garage) was removed and there was no permit for razing that (don't see listed in the computer); and 3) do see that most of the permits are pulled for elect, building, plumbing gas fitting*
- not sure if there are other mechanical going on or started*

Ms. Morgan:

- there is cleaning of the duct work that mechanical that to have done*
- not sure when they come out yesterday*
- we have photos of the property from 6:00 yesterday when we visited the property*

Ms. Moermond:

- just looked at the photos*
- photos from 2016 which is no longer there*

Mr. Magner:

- don't see mechanical permit, not listed here yet*
- indicated in the heating section - mechanical work and warm air must be cleaned*
- there is a permit for the gas line*
- will need that taken care of*

Ms. Moermond:

- I am looking for the code compliance inspection report
- you are working on it, getting there
- contractor should have pulled a permit
- what is the situation

Ms. Morgan:

- about 6 weeks before our May end date, we went to get structural verification of the additional structure that was added or needed to be added to the building; we were told a \$3,000 additional cost to have the engineer come out and look at all the connections and the systems that are there
- we have systems from 1885; joists are not on standard spacing; some are 3 inches wide and some are 2 inches wide so that hit us as a surprise. Then we were told that due to the 4 inches insulation we need type x ignition barrier between the foam and the attic space and the space back of the house
- we originally plan to put back in (inaudible) siding in those spaces
- at that point, i found out we are losing the \$5,000 bond

Ms. Moermond:

- we put a stop on the forfeiture of these bonds so we can talk about extension and not forfeiture
- I have sent a stearn letter
- would like to extend these performance deposits but will have conditions and additional money that needs to be posted
- would like to take off the demolition but solving this

Ms. Morgan:

- we have been trying to save as much as we can for the next bond

Ms. Moermond:

- you got a new \$3,000 you're not expected; wasn't in your original plans and you're financing as you go

Ms. Morgan:

- right now the plumber and electrician are waiting until we have the sheet rocks in
- the plumber is about 4 hours to hook up the tub, toilet and sink in
- the electrician has to put in the fixtures already purchased and put into place, probably a day
- when they're done we will hire mechanical to install the vents and final cleaning of the duct work. all that is in the budget, but not in the budget was the 5x8 sheetrocks and the engineering

Mr. Magner:

- in the couple spaces, you were covering with e board (?) vs. sheetrock?
- saved that and was going to put back on
- normally sheetrock is the cheapest

Ms. Morgan:

- yes, there are 3/4 inch thick for e-board (?)
- that part was only \$1,400
- I can break my 401K, that is the next stop
- the \$3,000 was for the engineer to come out and look at the joists and all connections
- Jim Seeger is requiring that
- wasn't in the original one we have and thought in code compliance
- windows are built out of giant timbers

Mr. Magner:

-was that original to the code compliance or additional

Ms. Moermond:

-asking if contractor has considered appealing because that determination can be appealed

-photos taken of the situation and have it reviewed by the building official

-how much money to take from now until done

-how long until done

Ms. Morgan:

-he says if the engineer have drawings of the system, they should be fine with it

-materials are all purchased and ready

-it's the labor that we have to pay in cash

-\$9,780.00, including the engineer's work and contractors

-about \$7,200 cash on hand

-need to check with my plumber and electrician to see how they can come out, 3 weeks out

Mr. Magner:

-so we are sitting here with a structure that needs to having framing sign off before insulation can be done but sheetrock is not the issue and then the plumber and electrician come in to finish, then the mechanical guy but the big hold off is getting the bare studs to the insulation to the sheetrock. You have not hired the engineer.

-what happens if the engineer comes back besides the \$3k person service fee. I guess my concern is what if he says that the windows need to be redone, etc. What happened then?

-are there other issues the engineer has brought to your attention?

Ms. Morgan:

-at this point I would would lose the windows.

-yes, we use simpson strong tie nails

-wrong nails on the beam because too small even though engineer says it's fine

-engineer has plans, facts about the materials

Ms. Moermond:

-wants to see the money you have

-will look for that additional \$5k and will give you another 6 months on this.

-can make a request to have the deposit returned in writing

Mr. Magner:

-if I am looking at this correctly, the orig resolution was adopted sept 12. That would be the 180 from there. -this resolution compliance date would be end of March.

-if we go 180 days from the orig resolution, the language in 33.03 regards to the 50%

-I don't know when they reached the 50%

-If the 65% occurred w/in the 180 days and because they reached that point, would we grant the normal 180 day extension without the requirement of the 2nd additional bond vs if they don't reach that 180 days then they would be subjected to forfeiture and would required

Ms. Moermond:

-in my reading of 33.03, Section F(4), not requiring a second performance deposit

-still need to show me where you are at financially with \$10,000 and the work plan by June 2nd

Put a resolution for June 7. That resol will give you the additional 180 days conditioned on fresh set of plans and evidence of financing and deadlines attached to that. Continue the current \$5k and not requiring additional bond.

Received and Filed