



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, July 17, 2018

9:00 AM

Room 330 City Hall & Court House

4 [SR 18-103](#)

Review request of Owner, Lynn Fagerness, dba Amadeus Holdings LLC, to a Ratification of Assessment File RLH AR 18-5, adopted by City Council on February 28, 2018, for property at 1119 RAYMOND AVENUE 2. (File No. VB1805, Assessment No. 188804)

Sponsors: Henningson

Lynn Fagerness, dba Amadeus Holdings LLC, owner, appeared.

Ms. Moermond: I talked with Judy Hanson, Litigation Division, City Attorney's Office; it is my understanding that you've appealed the assessment associated with the Vacant Building Registration at filed at District Court because you did not receive a letter that there was a pending assessment & therefore, did not have the opportunity to address the City Council about why you thought you shouldn't have to pay that VB fee; that you have a hearing in Aug & today, we're establishing a record & giving you an opportunity go forward to the City Council

Supervisor Steve Magner, Code Enforcement Manager: a VB file was opened on Jun 7, 2017; a letter was generated on Jun 8, 2017 - a Vacant Building Registration Notice; a warning letter was sent out Jul 10, 2017; after that, the fee had not been paid during the first 30 days; on Jul 26, 2017, the Supervisor for the West Team put in a 90-day VB fee waiver to allow Team Inspection to be completed & permits to be pulled to bring the bldg into compliance so that the Certificate of Occupancy could be issued for the units; on Oct 24, 2017, a warning letter was sent out indicating that the property is not in compliance - still a Registered VB & that the VB fee now needs to be paid; that fee wasn't paid & so the Oct assessments were processed & left our office & went to the assessment role; my understanding is that a letter would be sent out with a gold postcard to the responsible party/owner & they would be given the opportunity to submit that postcard back to the city indicating that they wanted to appeal; because no one showed up for that appeal, the assessment was processed along with the other assessments & sent to taxes; that's how we got here

Ms. Moermond: you are the owner of Amadeus Holdings LLC; your address is PO Box 3074, Burnsville, MN 55337-8074 (the address of record; it's on the VB Reg Notices & our assessment role); you did appeal the Vacate Order on this property when the C of O was Revoked; you told me that the previous owner had done a fair bit of work without permits; a code analysis/architectural plans would provide a map of how to bring this bldg into compliance; to the best of my knowledge, no plans were submitted to DSI & no permits have been pulled

Ms. Fagerness: I didn't get that last letter with the gold postcard; I've been working on the bldg-renovating - work that did not require permits to be pulled; I had an architect come through & he said that it was structurally sound; there was nothing that he could do; my understanding from your direction was that I should order a code compliance inspection, which I did on Sep 26, 2017; the trades inspectors came when I was there; they hadn't given me any warning; I had a company, Home to Home, that was going to do the work; at that point, they were waiting to get their contractor's license from the State of MN; then, they'd pull the permit; they are interested in doing the work but they haven't put me on their schedule; it's been a very long time; I keep contacting them but they don't return my phone calls; so, I'm started contacting other contractors - all are over-booked; - say they can start on Xdate but when that date comes, they continue the delay; then after they've dragged me along for a few months they say, look, we're not going to be able to do the work; then, the next company does the same thing; I've done as much as I can do

Mr. Magner: you can't do the work in the other units that you do not inhabit; the other units need licensed people to do the work; there's very significant work that needs to be done; I'm concerned with your appeal on the 2017 VB fee; we gave you time; we need to be reimbursed; also for the 2018 VB fee, which is due

Ms. Moermond: have you received the VB renewal Notices & are you going to appeal those? If you would have gotten the letter, what you would have said, "I'm trying to get this done but I feel like I've been getting the run around from a bunch of contractors so I shouldn't have to pay the fee;" I'm putting words in your mouth; is that what you're saying?

Ms. Fagerness: yes

Ms. Moermond: but you're in the Program for the entire year and to get out of the VB Program you need to get your Certificate of Code Compliance or your Certificate of Occupancy; are there any notes in the file, Mr. Magner?

Mr. Magner: the VB inspector has been going out every 2-3 weeks; the bldg is secure, maintained; there's no SAs; it's the requirement of the property owner to register the property & pay the VB fee

Ms. Fagerness: Inspector Gavin came by one day while I was there; he said that this property was always good; I didn't have to worry about it; I took that as a good sign -I have a list of other contractors; they find it a challenge when they see the long list; no one wants to take on the job; I have the funds

Ms. Moermond: you were in the VB Program for 1 year; if you would have gotten your code compliance inspection earlier, I could have cut down the fee; now, it's difficult for me to cut the fee; I can't prorate; I don't know who your prospects are; if you can get it done in 90 days (Sep 7); I would delete the 2018-2019 VB fee or prorate; & I can recommend dividing payments over time; it's the best option I have now

Approve and spread over 5 years. Preparing new resolution to amend File No. AR 18-5 to go to PH on 7/25.

Received and Filed