



# City of Saint Paul

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

## Master

**File Number: RLH RR 21-12**

**File ID:** RLH RR 21-12

**Type:** Resolution LH Substantial  
Abatement Order

**Status:** ATS Review

**Version:** 3

**Contact  
Number:**

**In Control:** City Council

**File Created:** 02/10/2021

**File Name:** Making Finding 134 Elizabeth St E

**Final Action:**

**Title:** Making finding on the appealed substantial abatement ordered for 134 ELIZABETH STREET EAST in Council File RLH RR 20-13. (Public hearing continued to April 14, 2021)

**Notes:** Charnell Hudson, charnellemays@gmail.com - 651-347-7895  
Contractor: Robert Ross, 651-231-2847; robertross91@aol.com contacted MV to ask for extension. MV told Mr. Ross to draft WP for review by Monday.

3/22/21: Notes on 134 Elizabeth St E

Talked to Alisha at RC Tax Forfeited Land 651-266-2080

No payments for 2020 only. She can apply for a confession of judgment and that will give her the ability to make payments of 10% of delinquent taxes up to 10 years. If not, the property won't go into tax forfeit until 2023 (3 years).

She doesn't see what other terms we may be looking for.

**Agenda Date:** 04/14/2021

**Agenda Number:** 29

**Sponsors:** Noecker

**Enactment Date:**

**Attachments:** 134 Elizabeth St E 30 Day Forfeit Signed.pdf, 134 Elizabeth St E.Making Finding Notice of Hearing Ltr.2-24-21.doc, 134 Elizabeth St E.Bruhn email.3-9-21.pdf, 134 Elizabeth St E.Hudson R-R Ltr.3-12-21, 134 Elizabeth St E.City inspection card.3-8-21, 134 Elizabeth St E.Duct cleaning invoice.2-10-21, 134 Elizabeth St E.FSI REPORT.1-8-21, 134 Elizabeth St E.Hudson Pics 2.3-21-21, 134 Elizabeth St E.Hudson Pics.3-21-21, 134 Elizabeth St E.Metro Heating invoice.1-8-21, 134 Elizabeth St E.Online permits.3-21-21, 134 Elizabeth St E.Hudson R-R Ltr.3-26-21

**Financials Included?:**

**Contact Name:**

**Hearing Date:**

**Entered by:** mai.vang@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	03/09/2021	Referred	City Council	03/24/2021		
	<b>Action Text:</b>	Referred to the City Council due back on 3/24/2021					
	<b>Notes:</b>	<i>Layover to LH March 23, 2021 at 10 am for updated percentage completed from inspector. (CPH March 24)</i>					
		<i>Charnell Hudson, owner, appeared via phone</i>					
		<i>Moermond: is there anyone else you'd like added on to the call?</i>					
		<i>Hudson: no.</i>					
		<i>Moermond: this hearing is to follow up on the grant of time the City Council gave September 9. At this point my job is to check to see where we are at. The 180 days have come to an end. The work isn't done. We did check with the building inspector to get a percentage complete, and he said 20 percent or less.</i>					
		<i>Hudson: that's done?!</i>					
		<i>Moermond: he said no permits have been pulled and no evidence of anything.</i>					
		<i>Hudson: almost everything is done. The only permit they have to get, they did it online. One wasn't pulled, which was plumbing. All the building stuff one there is done.</i>					
		<i>Moermond: well that is not what I have in the records here. I do have active permits pulled March 9. Literally today. So if my inspector looked yesterday and found no permits. Yesterday, there were none. Today mechanical, warm air and plumbing were pulled and an electrical permit in February.</i>					
		<i>Hudson: those are closed. The building inspector closed them.</i>					
		<i>Moermond: I see abandoned permits. No closed or finalized permits.</i>					
		<i>Hudson: I have the cards they signed off on right here.</i>					
		<i>Moermond: it doesn't show up in my system.</i>					
		<i>Hudson: they came out yesterday. They signed off on warm air, gas, piping and electric.</i>					
		<i>Moermond: those notes are not in the system; I don't know what to tell you. I'm looking at permits issued today.</i>					
		<i>Hudson: and the reason why they weren't issued last week was that they didn't go through online and they had to go in person.</i>					
		<i>Moermond: when you have a category 3 vacant building it needs to be done in person.</i>					
		<i>Hudson: I have the cards right here they just signed off on.</i>					
		<i>Moermond: I don't have that, just yesterday's assessment from the building inspector. You're telling me it is more.</i>					
		<i>Hudson: everything on the list is done. I didn't have the list there, but he had the list and I don't know why he's saying it isn't done.</i>					

Moermond: I guess I'm looking at this and it is a little concerning that permits were pulled yesterday for work time was granted six months ago for. It feels not squared up.

Hudson: ma'am, everything is done there. Everything on that list.

Moermond: and I have a building inspector telling me otherwise. We need to clear this up. Why don't you get me copies of what you are looking at? Since permits were only pulled today, I don't have any follow up inspection information at all. You won't have a final inspection on a permit pulled 10 minutes ago. That's a problem. A report back to Council on this is scheduled when, Ms. Vang?

Vang: March 24.

Moermond: let's talk March 23 and if you are less than 50% done according to the inspectors I will ask for another \$5,000 performance deposit to be posted.

Hudson: yes ma'am.

Moermond: so we're clear, failure is losing \$10,000.

Hudson: yes ma'am.

2 Legislative Hearings 03/23/2021 Referred City Council 03/24/2021

**Action Text:** Referred to the City Council due back on 3/24/2021

**Notes:** Continue PH to April 14, 2021. PO to have permits finalized and code compliance inspection certificate issued, or submit updated timeline for finishing the project.

Charnell Hudson, owner, appeared via phone

Staff update by Manager Steve Manger: a letter was sent March 12 to Charnell Hudson confirming March 9, 2020 at the Legislative Hearing Ms. Moermond recommended laying the matter over to March 23. If you have any documents you'd like to be reviewed by the Legislative Hearing officer email them to Joanna Zimny. The City Council Public Hearing will be March 24. That's where we're at now.

Moermond: we had a chance to review the documents Ms. Hudson sent and my impression was we had a couple of rough in inspections completed but not finals on the 3 plumbing permits?

Magner: reviewing the property it appears that we do have some permits finalized, mechanical, and warm air. 3 plumbing and a building permit outstanding. He's now estimating completion at 75%.

Moermond: and in terms of electrical permit?

Magner: electrical is finalized.

Moermond: I've got a couple questions. We have this in front of Council tomorrow, where is your plumber at with finishing?

Hudson: Troy came out yesterday and I'll have them out this week to do the corrections. I'll have to get back on Troy's schedule to have him come back to complete and final the permits. Nathan said the building permit can't be closed until the other permits are closed, then he will do his inspection.

Moermond: right.

Hudson: I believe the ones on there are easy fixes, I just need to get on the plumber's schedule. I've already called and I'm waiting to hear from them. I think it could be done this week, but I don't know what Troy's schedule is like, hopefully next week.

Moermond: where are you at with paying your plumber?

Hudson: everything has been paid. I don't owe anything.

Moermond: the other question I have is we're looking at 2020 delinquent taxes. Will that endanger in you terms of your repurchase?

Hudson: I paid that contract. We talked in September. I showed you I paid all of that.

Moermond: the computer system looks weird on that. It still shows some taxes from last year, but now that you say that I remember that conversation. It goes to Council tomorrow. What I'm going to ask them to do is continue their conversation to April 14, 2021. By then, we'll need either for you to have all your sign offs and certificate issued or I'm looking at asking for a plan of when they will happen. Confirmation from the contractors they will meet the deadlines. Either buttoned up and done or here's the plan for finishing, approved by Mr. Wagner and me. That gives a few weeks to get it resolved.

Hudson: I really appreciate it. I'm so sorry, this is my first time doing this. I didn't know I should have been following up. James and Troy really explained a lot of things. I'm working diligently to get it done. I really appreciate it. Thank you so much.

2	City Council	03/24/2021	Continue Public Hearing	City Council	04/14/2021	Pass
Action Text:		Public hearing continued to April 14				

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### Text of Legislative File RLH RR 21-12

Making finding on the appealed substantial abatement ordered for 134 ELIZABETH STREET EAST in Council File RLH RR 20-13. (Public hearing continued to April 14, 2021)

#### AMENDED 3/24/21

WHEREAS, the City Council adopted RLH RR 20-13 on September 9, 2020 which granted 180 days to repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance Report at 134 Elizabeth Street East; and

WHEREAS, the Legislative Hearing Officer reviewed this case on March 9, 2021 to determine if the owner and/or responsible party abated the nuisance conditions and found the condition of he building was unabated and building inspections estimated the project was 20% complete;

WHEREAS, the Legislative Hearing Officer scheduled a second Legislative Hearing on March 23, 2021 to re-assess progress and finalize a recommendation to the City Council on an extension of time to complete the nuisance abatement and whether the current \$5,000 performance deposit should be continued, forfeited or augmented;

WHEREAS, the Legislative Hearing Officer reviewed this on March 23, 2021 and the building inspections estimated the project was 75% complete; therefore, she will recommend continuing the matter to April 14 2021 for 1) submission of revised plans for completion of the project; or 2) completion of the rehabilitation issuance of the Certificate of Code Compliance; now, therefore, be it

~~RESOLVED the Saint Paul City Council will determine how it will proceed Wednesday March 24, 2021 pending the recommendation of the Legislative Hearing Officer.~~

RESOLVED, that the Saint Paul City Council adopts the finding of the legislative hearing officer that the nuisance condition is unabated; and will continue public hearing to April 14, 2021 for final disposition;

