



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
Joanna Zimny, Executive Assistant
legislativehearings@ci.stpaul.mn.us
651-266-8585

Tuesday, January 24, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 22-48](#) Ordering the rehabilitation or razing and removal of the structures at 523 BEAUMONT STREET within fifteen (15) days after the September 21, 2022, City Council Public Hearing. (Refer to Legislative Hearing September 12, 2023)

Sponsors: Brendmoen

Recommendation is to refer to Legislative Hearing September 12, 2023 to confirm plans and financing are still in place for Council to consider the matter and grant time.

Ed Dropps, Greater Midwest Realty o/b/o GITSIT Solutions, appeared via phone
Araiza Hargrove, GITSIT Solutions, appeared via phone

Moermond: we're following up on 523 Beaumont, are we calling in Mr. Hargrove?

Dropps: yes.

Moermond: we are touching base on this to make sure everyone is in sync. We noticed in reviewing the record that we talked about you having everything together we need to get 180 days from Council but that time expires before you're even in possession of the title. Is that right? That's August 23rd?

Hargrove: yes, that's our time frame for rehab, but yes we couldn't start until we actually take possession. We were thinking that 180 days is sufficient, but that is the timeline after we actually have possession. When we'd pull permits.

Moermond: I can't have the Council give you six months if there is no prospect of you getting anywhere. I'm going to ask the Councilmember who represents this area, Council President Brendmoen, I'm going to have her refer it back to discuss this back to September 12th on the strength of the fact you have this together right now. We can check in during September to make sure the bids are still good and financing is still in place and then send to Council to grant the actual time to do the work. It makes a difference for us legally in how we approach that but that shouldn't affect your process. Any questions?

Hargrove: no, that is sufficient. It would allow us the time to gain possession and start

that process in a way that actually gets everything done.

Moermond: I'll make that recommendation to Ms. Brendmoen. If anything comes up you need to be aware of to make you testify then we will do that.

Referred to the City Council due back on 1/25/2023

2 [RLH RR 22-63](#)

Ordering the razing and removal of the structures at 1011 BURNS AVENUE within fifteen (15) days after the December 7, 2022, City Council Public Hearing.

Sponsors: Prince

Remove within 15 days with no option to repair.

No one appeared

Voicemail left at 10:05 am: Ms. Cree this is Marcia Moermond from St. Paul City Council calling you about the order to remove or repair your property at 1011 Burns Avenue. We'll try you back in a little bit.

Voicemail left at 10:27 am: this is Marcia Moermond from St. Paul City Council calling you back to try and reach you about your property at 1011 Burns. Here's the deal, I understand that although you applied for the Code Compliance you haven't made the property available to the DSI team, you knew what you were to do which was clean out the property, put a lockbox on the door after you unscrewed it. We started this conversation in October. I know you broke your leg but this is an unreasonable amount of time to accomplish what you indicated was a straightforward thing. I'll put this in front of Council, and if you don't have it figured out by February 8 that the order the property removed. Get that Code Compliance Inspection worked out. I suggest you not do this on February 7th. You need to be on top of this. Otherwise, again, my recommendation will be that it be removed.

Referred to the City Council due back on 2/8/2023

3 **RLH RR 23-1**

Ordering the rehabilitation or razing and removal of the structures at 46 FRONT AVENUE within fifteen (15) days after the February 8, 2023, City Council Public Hearing. (Referral to February 14, 2023 Legislative Hearing pending)

Sponsors: Balenger

\$5,000 PD to be posted by COB Feb 3, 2023. Refer back to LH February 14, 2023.

*Lenna Gnatyk, daughter of owner, appeared
Petr Gnatyk, owner, appeared*

Staff update by Supervisor Joe Yannarely: the last Legislative Hearing it was laid over to today to post \$5,000 Performance Deposit before it goes to hearing February 8.

Moermond: and we talked about transfer of the property. I see you have a purchase agreement here. I just briefly reviewed it. I have a concern with it, point number 2 on the first page, and point 7 on the last page say kind of the same thing, which is you're either going to transfer the property when it gets its Certificate of Occupancy but no later than June 23 whether or not you have your Certificate of Occupancy which is how it reads to me. That can't happen. I don't know what the magic is with that

particular date. But I can tell you if they start doing the rehab and they get halfway done, or 70% done---six months from February 8 is August 8th. Then Council would look like giving additional time as long as its past the halfway mark. The August 8th would be our very first potential deadline. I'm thinking unless we have our things together I wouldn't even ask for a vote February 8th. I need all the items in front of them.

Lenna Gnatyk: we have been talking about it with him and he's been sending contractors to him. He already has a plan put together. He said he has no issues showing financials. I'd just have to get him to send that information to you.

Moermond: we're happy to talk to him about that June 23rd date. I imagine he has the potential to finish by that date.

Lenna Gnatyk: Josh is Eddie's partner here.

Petr Gnatyk: what happens if the buyer backing out? Is there any consequence for him?

Moermond: I can't give legal advice on that. That's a private legal matter for you. What I would flag for you for our purposes is if whoever you are working with backs out to look at the period of time to do so. Do you want them to sign something saying they've backed out, because if you want to work with someone else they may be worried about that previous contract. Get that person well and completely out and move on to the next prospect. That's the only thing I've seen slow people down. In terms of consequences, that would be what your purchase agreement says and what your own attorney says.

Lenna Gnatyk: he did have a time period to look and once it is signed I don't think he can.

Moermond: yeah and I only have the part of the purchase agreement that we really care about. So Josh is developing here?

Petr Gnatyk: yes. But the guy in Arizona is the guy financing it.

Moermond: and you thought he may have had his things in today, but he doesn't, but sounds like he can, based on your conversations. We need those work plans and bids, evidence of financing, and we also require an affidavit dedicating the funds to the project. This goes to Council February 8th. We can have them send it back to talk again on Feb 14th. If they have the remaining items in we can greenlight before Council even votes.

Lenna Gnatyk: we need to remove the part of the June 23rd language?

Moermond: yes. And the last page I don't need "Best efforts" to do anything. That whole number 7 is unnecessary.

Yannarely: what is the difference, between saying Certificate of Occupancy issued? If they're confident they can get it done, what does it matter.

Moermond: I think you're right. So just remove the language about 'no later than'.

Lenna Gnatyk: I will give this information to him and have him send it.

Moermond: what was his name again?

Lenna Gnatyk: Heriberto Parra.

Referred to the City Council due back on 2/8/2023

4 [RLH RR 22-56](#)

Ordering the rehabilitation or razing and removal of the structures at 771 IOWA AVENUE WEST within fifteen (15) days after the October 26, 2022, City Council Public Hearing. (To refer to November 22, 2022 Legislative Hearing)

Sponsors: Brendmoen

Layover to LH February 28, 2023 at 9 am. PO/partner to provide bids, schedule, proof of financing and affidavit, and purchase agreement (if necessary).

Joseph Yanta, owner, appeared

Moermond: we are making some progress here, that is great.

Staff update by Supervisor Joe Yannarely: we need to have evidence of financing to do rehab, estimates are exceeding \$75,000, affidavit, and we do have a newly minted Code Compliance Inspection Report completed a few days ago.

Moermond: you have a copy of that Code Compliance?

Yannarely: it looks reasonable.

Moermond: you have your Code Compliance Inspection Report and it is cleaned out, that's great.

Yanta: there was a comment by Mr. Zane there was still some clutter, but he stopped before Mr. Yannarely. I'm not sure what date specifically, but then I cleared out more items.

Moermond: enough to get the Code Compliance Inspection Report which is the important thing. Have you talked to a contractor? What is your approach?

Yanta: I have a number of people I am planning to contact this week to set up inspections and give them copies of the Code Compliance Inspection in the next few weeks. If possible I'd like to reach an agreement with one of them to rehabilitate the house. Otherwise, I'd start doing some of the work myself. I have some financial information here. The first thing to do would be installing the new furnace and rewire the house so the rest of the work could move forward.

Moermond: sure, it being winter. This sounds reasonable. You just got that Code Compliance Inspection Report and it will take time to get some bids and work with them. If the contractors doing the work, are you going to paying them and you are selling?

Yanta: I'm not sure, it depends on what sort of agreement we would have with the developer.

Moermond: and we'd need to see the financial wherewithal to the project, whether that's from you or the people paying for it. When you say if these other things fail, you indicated you may start work yourself. We would need to see a whole plan about doing that work and who you'd hire for your electrical and plumbing and so on. While I trust you have some skills to do building items, you couldn't do the other items. It

needs to be a licensed contractor. You would have to hire an electrician to rewire the house, and that would cost "X". Installing a new furnace, "X". That's part of the money we would need to see set aside towards getting it done.

Yanta: right, I wasn't proposing I do the work myself. I have some financials here.

Moermond: ultimately we only look for the amount of money available to match the bids you're going with. If those bids total \$100,000, we need to see that \$100,000. That's the target.

Yanta: I can give you that now. I have a printout from the online report from the Ideal Credit Union, but I copied that and printed those out, the figures are the same. We should be able to get a secured loan from the Credit Union using those money market accounts as collateral.

Moermond: we will hold off on putting anything the record until you figure out how you want to land the plane. There is a bit more than \$250,000 in a money market account. That is what should be noted for the record. I'm good with giving time to talk to contractors.

Yannarely: and no problem at the property, it looks good.

Yanta: you said you can't recommend contractors but you provide a list of contractors who have done this in the past?

Moermond: sure, we can put together people who have done this in the last six months. But you have a few people you're already talking too?

Yannarely: I thought I was familiar with one of the names.

Yanta: Joe Steinmouse.

Moermond: let's talk again February 28, give you a chance to talk to these folks. If you had one of them in the room or on the line so we could start wrapping up. My target for a Council vote is going to be March 15th. I'd like to see preliminary plans by February 28th so we have some time to lock it in before Council.

Yanta: there were some items on the Code Compliance Inspection Report that were maybe boilerplate items that didn't apply to these items

Moermond: we can copy Clint Zane on the letter Ms. Zimny will send out, and you can reply to that with those questions so we have a record of that here in the event you aren't able to get ahold of them.

Laid Over to the Legislative Hearings due back on 2/28/2023

5 RLH RR 20-22

Ordering the rehabilitation or razing and removal of the structures at 678 SNELLING AVENUE NORTH within fifteen (15) days after the May 27, 2020 City Council public hearing. (To refer to October 25, 2022 Legislative Hearings, pending roof permit is pulled and finalized)

Sponsors: Jalali

Refer back to LH March 28, 2023 at 9 am for update on funding.

Lisa Kugler, consultant, appeared via phone
Gene Gelgelu, AEDS, appeared via phone

Moermond: boy, this summary was just raining good news. Ms. Kugler, tell us where you are at and walk us through this.

Kugler: we have secured every source of funding that is available to us right now. The gap we are asking the St. Paul HRA, partly as a loan and partly as a grant. That application gets submitted this week. I don't know their timing. There's a waiting period even after a decision. We really feel like we have covered the landscape. We have \$750,000 from DEED through the St. Paul Foundation. \$103,507 from the Ramsey County Critical Corridor program to pay for the additional cost of putting in a new water line. When we wrote that grant we thought we'd be allowed to run a line up the alley but it turns out that probably isn't allowed so the cost of running it under Snelling is \$175,000.

Moermond: did they tell you why?

Kugler: Saint Paul water utility said they don't allow water lines on private property or in alleys and when we mentioned MNDot wouldn't be happy about closing Snelling, they said you can't talk to MNDot directly you send them a request and answer comes back yes or no. There is no way to speak with them about it. The other issue is the old water line has to be closed and that is also under Snelling. The engineers thought if that was required by the City, or water utility, then it has to be opened at least as far as that line goes anyway. My argument is that line is already closed because it is cracked. It was already shut, but no one can hear that. Apparently being shut and closed are different. The earmark from LISC, one came to LISC Twin Cities was \$215,000, the other 500,000 is in the 2023 and 2024 budget. It is on the list of projects recommended for funding. WE haven't heard how we access that but we will figure that out.

Moermond: what is the gap you're asking the St. Paul HRA to fill?

Kugler: \$2.9 million. 1.5 million in a loan and the rest in a grant. It is a lot of money, but we think it is available and have set up the project to borrow as much as the project can afford. We can't have that discussion until the application goes in.

Moermond: when will you have that application together?

Kugler: hopefully this week. It is almost done.

Moermond: did they give you a timeline on the review of it?

Kugler: no, but I suspect less than a month. There's a paragraph in there about it being on the Vacant Building list for a very long period and we won't be able to keep getting extensions so there is a matter of urgency.

Moermond: you nailed that. The last question I had is the building design component the solar panels, and the redesign has negative decisions.

Kugler: we have to restructure the roof and change it to support solar panels. We don't have the money for that, so it can't be done.

Moermond: so negative impact was you wanted to do it but it isn't possible.

Kugler: right. We can't afford to do it.

Moermond: the congressional discretionary spending was approved as part of the

2023 - 2024 budget. It is locked in; it is just a matter of how they disperse those funds?

Kugler: yes, that is my understanding. The first earmark is in the 2022 budget. That goes through the SBA. Ours goes through HUD.

Moermond: today is January 24. We'll have more information in early March. Council hasn't seen this since this in six months. We'll send this to Council and have them send it back to hearing, which gives them a chance to ask questions. Let's send to Council February 15 and have them refer to back to me March 28th. I don't anticipate anything of note at that, but if we do hear something we will alert you.

Referred to the City Council due back on 2/15/2023

10:00 a.m. Hearings

Making Finding on Substantial Nuisance Abatements

- 6 [RLH RR 22-39](#) Second Making finding on the appealed substantial abatement ordered for 575 PARK STREET in Council File RLH RR 21-71.

Sponsors: Balenger

Layover to February 14, 2023 at 10 am for update on CC certificate status.

Frank Viggiano, owner, appeared via phone

Moermond: I understand you have a building inspection on Thursday for 575 with Clint Zane.

Viggiano: correct.

Moermond: and I don't know we can do anything until he gets out there. I'm going to lay this over to February 14 so you have time to do any corrections before we talk and hopefully close the book on this.

Viggiano: the mechanicals did pass last week.

Moermond: I've heard everything is finalized except the building permit, so that's great news. Let's get that last assessment done and hopefully we will be there.

Laid Over to the Legislative Hearings due back on 2/14/2023

- 7 [RLH RR 23-4](#) First Making finding on the appealed substantial abatement ordered for 1807 SEVENTH STREET EAST in Council File RLH RR 22-29.

Sponsors: Prince

The nuisance is abated and the matter resolved.

Supervisor Joe Yannarely: Code Compliance certificate has been issued

Moermond: nuisance is abated and matter resolved.

Referred to the City Council due back on 2/1/2023

- 8 **RLH RR 23-6** Making finding on the appealed substantial abatement ordered for 1941 UNIVERSITY AVENUE WEST in Council File RLH RR 21-60. (To refer to February 14, 2023 Legislative Hearing)

Sponsors: Jalali

Refer back to LH February 14, 2023 at 10 am for further discussion.

*Dawit Solomon, President Eritrean Community Center of MN, appeared via phone
Ruth Ogbaselassie, treasurer Eritrean Community Center of MN, appeared via phone
Essey Asbu, Secretary Eritrean Community Center of MN, appeared via phone*

Staff update by Supervisor Joe Yannarely: it doesn't look like any work has been done on the building whatsoever.

Moermond: and property maintenance?

Yannarely: no problems, and the gate has been shut since it was an issue earlier on.

Moermond: sounds like Mr. Yannarely has an assessment of no work happening. Is that correct?

Solomon: no work has been done because we have everything set up to move forward, we even pulled a permit, and the contractor we were working with withdrew at the last minute. We have been scrambling to get another contractor. The situation with the cement work and wanting to start before it got cold. Unfortunately, with the approval process for the contractors we weren't able to go through in time to do it before it got too cold to do cement work, and now we are waiting. Don Steele contracting, we are trying to get the paperwork through the City. Unfortunately starting in the middle of the winter isn't possible, plus we need clearance from the City STAR program. We wanted to request for an extension to do this work. We have the funds, just unfortunately the last contractor backed out.

Moermond: right, the City gave you the money.

Asbu: we made sure no one went in the building, but unfortunately like Mr. Solomon said. He was hoping to do the work without paying prevailing wages and hiring minorities, so he put the price and it almost doubled. He wanted to back out of that contract, that's what prevented us. For us to have a realistic chance of doing the cement work we had to start by end of the September. We approached a different contractor and are working with the City STAR program and their confines. I think the contractor, and I'm speculating, is it is hard to find people to do the cement work. We are ready to move forward but we'd really appreciate an extension. We did do a lot of work it just doesn't show in the physical structure. We have put in a tremendous amount of work.

Moermond: fencing the property and cleaning it out? That's the work you are talking about?

Asbu: yes. We made sure we got dumpsters and all the equipment out so it isn't attractive for people to go in. We have do not enter signs and tape up. The snow makes it difficult to go in, we purposely didn't shovel the open area. The contractor that came in said that for the most part what is remaining is structurally sound. For the most part.

Moermond: fencing the building and removing items was a condition to even get to the point to get the grant of time to work on this so I don't count this toward the work

that should have been done. That had to be done whether it was demoed or not. If you were a for-profit entity or private party there is no question I would ask another \$5,000 Performance Deposit was posted to ensure it is complete. Having 0% done I'd also ask for the forfeit of the original \$5,000. Since you are a nonprofit I am less inclined to do so. I'd like to get a report from the STAR program to find out where things are at. You had contracted with someone, if I remember with, the City worked hard to use the contractor you already selected. You wanted to use them and the City worked with you, so some of that is on you. I also noticed the building permit wasn't pulled until mid-October, and the grant of time was in July. I'm thinking you all could have done better, but let's get information from the STAR program. Are you still working with Claudia Klinkhammer?

Solomon: yes.

Moermond: are you getting new bids? I know cement work is temperature sensitive.

Solomon: yes. Don Steele, he is familiar with the program. I believe he had submitted the City's requirements to Claudia.

Ogbaselassie: the first contractor didn't drop out until September, and everything was in his hand. By saying we did everything, I had to work with Claudia and go to the St. Paul License office to inform them. We wanted to start before winter, we were planning on that.

Moermond: the Council is scheduled to look at this February 1, I'm going to ask them to send it back to Legislative Hearing February 14 so we can talk more about what makes sense looking at STAR money and that contract.

Referred to the City Council due back on 2/1/2023

- 9** [RLH RR 23-5](#) Third Making finding on the appealed substantial abatement ordered for 521 YORK AVENUE in Council File RLH RR 22-35.

Sponsors: Brendmoen

The nuisance is abated and the matter resolved.

Supervisor Joe Yannarely: Code Compliance was issued December 19, 2022.

Moermond: nuisance is abated and matter is resolved

Referred to the City Council due back on 2/1/2023

11:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 10** [RLH SAO 23-10](#) Making finding on the appealed nuisance abatement ordered for 643 EARL STREET in Council File RLH SAO 23-3.

Sponsors: Prince

The nuisance is abated and matter resolved related to the items next to garage.

Sonya Humes, owner, appeared via phone

Moermond: today we were reviewing whether or not there was compliance with the first deadline you had to remove the items next to the garage. Ms. Martin will update the findings.

Supervisor Lisa Martin: the photographs taken this morning the items next to the garage by the white fence appear to have been moved, however there is now a trailer full of stuff behind the garage.

Humes: are you talking in the back yard?

Moermond: it looks like you had the buckets and PVC on one side of the garage, and now on the other side is a trailer with items covered in snow, so we aren't sure what is there. That is a new thing and also not in compliance. It may also be on both your and your neighbor's property. Ms. Martin?

Martin: that is correct.

Moermond: so we're looking at what is going on with that trailer situation. Ms. Humes, can you talk about that?

Humes: your question is kind of vague.

Moermond: there's a trailer beside the garage—

Humes: that's not new, it has been there the whole time.

Moermond: this has been there the whole time?

Humes: yes.

Moermond: I'm wondering if we need to write new orders on that to clarify that. Legally the order does cover it.

Martin: the first order issued December 19 said to remove of scrap wood, PVC, and buckets from the rear yard and didn't say anything about a trailer. I can send new orders. The items from the original Summary Abatement Order have been moved, but I don't know whether it is gone from the property or just the location.

Moermond: so for today's purposes the expectation set for today has been met. Another order will be sent for the trailer. What kind of a deadline do you usually give on that?

Martin: 7 days.

Humes: that trailer has always been there. I just have to move the items off the trailer?

Moermond: the items on there, but whether it's a legal parking surface and far enough from the property line. That is hard with the snow cover. Ms. Martin?

Martin: I will have the inspector take a look at it to see if it is an approved parking spot. It has to be in a driveway or on approved pavement, and a couple feet off the property line.

Moermond: so that is handled separately and appealed separately. I'll let the front desk know if you do appeal that order we'll accept that without a fee. Today's item

was gone on deadline, so that matter is closed. You did what you were supposed to do.

Referred to the City Council due back on 1/25/2023

1:00 p.m. Hearings

Vacant Building Registrations

- 11 [RLH VBR 23-5](#) Appeal of David Busch, DRB #24 LLC, to a Vacant Building Registration Fee at 45 LAWSON AVENUE WEST.

Sponsors: Brendmoen

Grant the appeal and release the property from the VB program.

David Busch, owner, appeared via phone

Pat Ware appeared via phone

Denise O'Leary appeared via phone

John Gardener, contractor, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: this is a one-unit residential program in the Fire Certificate of Occupancy program. It was scheduled for its regular renewal inspection. Original appointment letter was sent March 2022. At that time the inspector had been notified it was undergoing renovation and had active permits and requested an extension on the inspection during the remodel. It may take up to a few months. The inspector checked in a few times with property management through 2022 to see what the status was. In September and October 2022, he was told renovation was ongoing. December 6, 2022 there was discussion to refer it to the Vacant Building program for monitoring as our determination was it would meet the definition of a registered Vacant Building and it had been holding off on inspection for over 8 months. Looks like some of the permits have recently been closed. There is still an open building permit. To be recertified they would need that permit closed out and a final inspection from the building dept and to arrange a Certificate of Occupancy inspection to go through the property. We haven't done that inspection so we have no list of any required repairs, we are just looking to get access to complete a standard inspection to send out that report.

Staff report by Supervisor Matt Dornfeld: we opened a Vacant Building file December 8, 2022, a Category 1 per that Fire referral. At this time Inspector Hoffman has noted no nuisance conditions reported. My guess is we are here to discuss the Vacant Building fee coming due.

Busch: I've been distant from the project other than paying for it. I don't understand, we had a property that was vandalized. Someone stole all the wiring so we did a total renovation. I'm astounded it would be sent to the Vacant Building program when we're obviously working and perilously close to completion. I'm astounded, I don't know there is much more to add to those reports. That aligns with our understanding in terms of what happened and when. If you want reasons why it has taken twice as long as I expected it too, we can talk about it. But we are close to final permit. Hot air was closed last Friday.

Moermond: yes, two finals on January 20. Everything is done except for the building

permit.

Gardener: we had a follow up inspection today with Virgil. He was here today at 10:30. I had a minor handrail adjustment. He wrote on the permit final pending a picture. I already sent the picture. I imagine he's closing them when he gets back today. He did write final today on the permit.

Moermond: that sounds great. I understand that Pat Ware is the property manager who handles the Fire Certificate of Occupancy scheduling and interactions, is that correct?

Ware: for the most part, yes I deal with inspections.

Moermond: you are who would be calling for the Certificate of Occupancy inspection now the permits are finalized?

Ware: I have never done that. I've typically done ones that are up for renewal. Not one that's been renovated.

Moermond: we just need that walk-through scheduled. Mr. Imbertson, do you want to send an appointment letter or have Ms. Ware reach out?

Imbertson: if there's no time crunch, we would prefer to send a letter. Travis Almsted is the inspector for this property.

Moermond: do you have his contact information?

Ware: yes, I have sent him a couple emails. He's never requested access for inspection. I only ever told him it wasn't finished.

Moermond: Mr. Busch is showing up as the Fire Responsible Party it would go to him, but Ms. Ware's name is showing in some of this.

Busch: Pat should continue communication with Travis. We have no emergency getting it done.

Moermond: based on the strength of those permits being finalized I'll recommend you are released from the Vacant Building program and I'll let you work through the Certificate of Occupancy process.

Referred to the City Council due back on 2/8/2023

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 12 RLH VO 23-10** Appeal of Mary Callander to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1378 LINCOLN AVENUE.

Sponsors: Tolbert

Grant to March 3, 2023 for compliance.

Mary Callander, owner, appeared via phone

Staff report by Supervisor Mitch Imbertson: this is a one-unit residential property in the Fire Certificate of Occupancy program. We started the c of O renewal process on July 21, 2022. That included a number of items, one of which were to secure loose ceiling beams in the first-floor living room. That is the one order remaining. This has been previously in appeals and was given an extension on the reinspection deadline to January 1, 2023. Our inspector was out on January 3 and at that time the work was not done and since there had been no further approved extension of the Council's deadline we moved forward with the pending revocation of the Fire Certificate of Occupancy which means it needs to be vacated or in compliance by the next deadline. January 4, 2023 letter has a January 31, 2023 10 am deadline. The only remaining issue to approve is to secure loose ceiling beams in the living room. We understand this to be a relatively simple repair requiring any extensive amount of time for a qualified contractor.

Moermond: Ms. Callander, why are you appealing?

Callander: it is somewhat complicated; you can't just get anyone to do it. I sent an email October 22 the contractor was six months out. He is scheduled to come February 14th. I can't do it. A painter can't do it. This guy started because he had a cancellation and the next time he could come--which he still planning--is February 14. I need an extension until then.

Moermond: I do see you sent an email October 2 but you didn't testify at Council saying you wanted that extension so they passed the resolution with the January 1 deadline. Feb 14 is when your contractor will be out?

Callander: yes. He is planning on coming, I just checked with him.

Moermond: I am thinking we could give you a new deadline, with a little cushion just in case, and say until March 3. You'll get an appointment letter for some time the week of March 6. We'll push any potential vacate date to April.

Council Public Hearing 2/15

Referred to the City Council due back on 2/15/2023