



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Minutes - Action Only

Legislative Hearings

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

Tuesday, March 21, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 23-76](#) Ratifying the Appealed Special Tax Assessment for property at 686 EDMUND AVENUE. (File No. VB2305, Assessment No. 238804) (Legislative Hearing on March 21, 2023)

Sponsors: Balenger

Approve the assessment and make payable over 5 years.

Somdy Kong, owner, appeared via phone

Moermond: where we left things after the last hearing was that if you had your Code Compliance certificate, all your permits signed off, I would ask Council to cut the assessment in half. You applied for the Code Compliance Inspection a month ago and that report was issued just last week. On its face it doesn't look like you'll meet that deadline by tomorrow. Where are things at?

Kong: right after we had our conference I did it right away.

Moermond: we had our first conversation in October 2020 telling you that you needed a Code Compliance Inspection conducted. All the documents say to do that. I appreciate you applied but it really is late in the game to even make application. Help me here. You applied in February, great. But we talked a couple years earlier.

Kong: I understand. I did pay for 2021. This year there is a lack of funds. I'm asking you to help me, please. I don't have the funds now. I had them before, and I don't know. I had to push what I can just to apply for that.

Moermond: and that was the never the deal if you applied you got it cut. It was getting permits done.

Kong: you just told me.

Moermond: I told you October of 2020.

Kong: I understand. I'm asking you please, I don't have the funds. I need this help now and I'm doing the best I can. If I had the funds I wouldn't even bother with this. That's

why I'm asking for help now. I know it took a while. I was suffering too. I had Covid three or four times. I'll try to get it up and running as fast as I can. I don't want to go through this again. You gave me a month to get that--

Moermond: I didn't say that. I said get your Certificate. This is a rental property you've owned for a while. There was a fire with some other bad conditions. Have you looked towards getting any assistance financially to rehabbing this house? The Rental Rehab Loan program? That may be helpful to you now. Have you talked to anyone about that? You have money leaving but no rent money coming back in. The sooner when we get to the place this generates income the sooner it is under control again. How can we get you closer to that place?

Kong: thank you for offering some support. I'll look into that. But let me get to the point, I did what I can. You told me a month. I didn't know the inspection was going to take that long. I did my part. They made me late on it.

Moermond: I hear what you are saying and are misinterpreting what the inspection report tells you. This is a punch list of what has to be done to get out of the Vacant Building program. The fee isn't cut until you are out of the program. We literally had this conversation back in October 2020 when you first entered the program. You got a fee waiver then and we walked through expectations. That is also in the Vacant Building renewal documents. As far as helping with the fee, I can make it payable over time and it attaches to your property taxes. If it is made payable over 5 years, one-fifth would show up on your 2024 property taxes, and then the next 4 years. Then you don't feel that pinch immediately. We are two and a half years in, I understand you had Covid, but gosh. Two and a half years. We'll send you information on the City's Rental Rehab program. We can also see if one of the local community development corporations has anything as well.

Kong: I understand. I hear where you are coming from. But you are not trying to help me. It is full payment or a half. Can we just talk about that?

Moermond: my answer is no.

Kong: I understand because you aren't even helping me.

Moermond: I need to treat you—

Kong: this is bullsh*t. I did what you told me to do. If you knew you were going to say no to me, what is the whole point of you saying, "I am going to say no, I'm not going to help you out." Why would you make me take those steps not help me out?

Moermond: I'll be ending this conversation unless you let me speak. I'll be asking the Council to make payments over 5 years. Now you have the inspection report, and that is helpful to have, because you cannot fix the building without it. I'll send the information we have for financial resources so you aren't looking for another Vacant Building fee for 2023-2024. If you want it cut in half you can talk to the Council tomorrow, in person, sign up by noon today to testify by phone, or submit written testimony. Making payments over 5 years isn't a bad deal. I'm sorry you are in this position after two and a half years. That is all I can give and treat you fairly and the same as I treat other people in the same circumstance.

Kong: nice talking to you, b*tch.

Referred to the City Council due back on 3/22/2023

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- 2 [RLH TA 23-77](#) Ratifying the Appealed Special Tax Assessment for property at 708 WESTERN AVENUE NORTH. (File No. J2305B, Assessment No. 238104) (Legislative Hearing March 21, 2023)
- Sponsors:** Balenger
- Approve the assessment.*
- No one appeared*
- Tried calling 9:32 am - voicemail box full*
- Moermond: the voicemail box is full. This goes to Council Public Hearing tomorrow. At close of last hearing February 21, she indicated she had photos showing the window wasn't broken all the way through and therefore didn't require boarding. Those were not sent. She also indicated her tenant lied about who broke the brick. Renter told the St. Paul Police Department it was a boyfriend. The renter told her she did it herself. It all sounds pretty contradictory to me, without anything else I'll recommend approval of the assessment.*
- Referred to the City Council due back on 3/22/2023**
- 3 [RLH TA 23-98](#) Ratifying the Appealed Special Tax Assessment for property at 1162 BLAIR AVENUE. (File No. J2306B, Assessment No. 238105)
- Sponsors:** Jalali
- Layover to LH April 4, 2023 at 9 am for PO's to review appeal documents.*
- Laid Over to the Legislative Hearings due back on 4/4/2023**
- 4 **RLH TA 23-108** Ratifying the Appealed Special Tax Assessment for property at 1281 ELEANOR AVENUE. (File No. J2315A, Assessment No. 238514)
- Sponsors:** Tolbert
- Approve the assessment and make payable over 3 years.*
- LHO reconsidered the matter and is recommending reduction from \$322 to \$161. [3/23/23]*
- Referred to the City Council due back on 5/3/2023**
- 5 [RLH TA 23-100](#) Ratifying the Appealed Special Tax Assessment for property at 1040 GRAND AVENUE. (File No. J2306B, Assessment No. 238105)
- Sponsors:** Noecker
- Layover to LH April 4, 2023 at 10 am (unable to reach property rep).*
- Laid Over to the Legislative Hearings due back on 4/4/2023**
- 6 **RLH TA 23-112** Ratifying the Appealed Special Tax Assessment for property at 2211 PRINCETON AVENUE. (File No. J2315A, Assessment No. 238514)
- Sponsors:** Jalali

Reduce assessment from \$322 to \$161.

Referred to the City Council due back on 5/3/2023

- 7 **RLH TA 23-107** Ratifying the Appealed Special Tax Assessment for property at 287 STURGIS STREET. (File No. J2315A, Assessment No. 238514)

Sponsors: Noecker

Recommendation forthcoming.

Referred to the City Council due back on 5/3/2023

10:00 a.m. Hearings

Special Tax Assessments

- 8 [RLH TA 23-79](#) Ratifying the Appealed Special Tax Assessment for property at 820 WESTERN AVENUE NORTH. (File No. J2305E, Assessment No. 238304) (Legislative Hearing on March 21, 2023; Public Hearing continued to April 19, 2023)

Sponsors: Balenger

Continue PH to April 19, 2023. Reduce assessment by \$283 to \$159.

Prescila & Juan Moreno, owners, appeared via phone

Moermond: this is Marcia Moermond from St. Paul City Council calling you about the special assessments at 820 Western. We had delayed our conversation a couple of weeks ago so your husband could be present, is he there?

P Moreno: yes.

Moermond: and that is Mr. Juan Moreno?

J Moreno: yes.

Moermond: it looks like we have two assessments we are talking about, but they're pretty similar so we may merge them for simplicity's sake. [Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: we issued Vehicle Abatement Order November 3, 2021. We have several semi-trailers parked on an unapproved surface, covered in graffiti. All these Excessive Consumption fees are for us rechecking and them not being in compliance. Total proposes assessment of \$283. Appeal was filed November 2021 and they had until January 1, 2022 for compliance. The next Excessive Consumption was a total of \$407. The history has been going on for many years. We have 12 Excessive Consumptions issued. 2 were not assessed. Work order November 2, 2021 for graffiti. Photos in the file.

Moermond: the first assessment is because of two Excessive Consumption bills. Those bills were sent September 9 and September 16. The second assessment we have bills from September 23, 30 and October 12. Why are you appealing today?

J Moreno: starting with the trailers, that's where all this comes from. We were told when we went through the appeals from Michael Medina that we didn't have to move it, we just had to comply with what he was asking. Which was getting the property surveyed. Then we would figure out what we were going to do. Then November 2022 he said no, we have to move it. I said you told us we didn't have to do anything. I have a lot of machinery and was planning to use it there. Michael Medina told me I had to move them. It wasn't on the up and up. Right now, I'm trying to find someone to move them but they say the ground is too wet and they can't move them until it goes to normal. I believe April they said they can move them. We have a six-foot fence and they still climb over it. I have painted it back in September and now it is back again. It is impossible to keep the kids out. I have called the police and they say they can't do anything. It isn't my fault they keep going back there, all over painting. Right now, I'm asking until April to move them. Hopefully the ground is hard enough by then so we can move them.

Moermond: Mr. Moreno, December of 2021 I heard an appeal of the orders you received November 3, 2021. That was in front of me then and it was the same three trailers, needing to get a proper surface in place or removing them. I recommended the Council give a month. They voted December 8, 2021 to give you to January 1, 2022. I don't know why it didn't happen last year. The ground would have been in decent condition to move the trailers April through November of 2022. What was going on? Why didn't that happen?

J Moreno: I asked for someone to help me out with that, Medina. He talked to the City Planners and they told them they didn't have to move them. Then he called in November and asked if I had moved them. I said no, there's already snow. I paid \$4,000 for the survey. I want to buy the piece of property in the back and extend this.

Moermond: and I don't have those orders in front of me because those orders were appealed so long ago. I also heard an appeal of your Fire Certificate of Occupancy in 2019 which had to do with a survey. I think that may be what you are thinking of. That order was to fix a retaining wall. It was determined the wall wasn't on your property, so you shouldn't have received the orders. Your appeal was granted. That was 2019. I don't know if that is what you are thinking of when you're talking about a surveyor. I'm not finding any information about an extension granted by Code Enforcement.

Martin: Code has been sending them Excessive Consumption fees about every 2 weeks. They will also be getting more orders for the graffiti again.

Moermond: I don't have any way to give an extension. I don't hear a solid plan of action. I just have the tax assessments on them. It has been over a year.

J Moreno: it is evident I am planning to move it. I need time for the ground to dry.

Moermond: and I don't know who Mr. Medina is. The inspector issuing these orders has been Mr. Richard Kedrowski. We do have two bills issued one week apart. That seems tight, not the normal two weeks. Is that fair?

Martin: sometimes if the system is down they won't get mailed out. That was probably pretty quick, but it has been generally every 2 weeks.

Moermond: I will recommend one of those Excessive Consumption fees be deleted on the first one. For the other one I'll do the same and remove one, because we have an

Excessive Consumption issued September 23 and then September 30. Again, a one-week window. I think it would be fair to delete that as well. So that brings us down to \$273 for the second one. \$124 off each assessment. I'm not feeling like the frost has left the ground. I'd think the greater difficulty would be the fence installed. Is that a new addition?

Martin: yes. It has been there a while. I saw no site plan filed. I did reach out to the Certificate of Occupancy inspector to see if it was something we need to address.

Moermond: it was installed without a permit?

Martin: I saw no approved site plan and no permit.

Moermond: I think your best bet is going to be talk to the inspector or manager at DSI and see if they can do less frequent reinspections to decrease the number of assessments until you can move them. The window is now, and then probably late April into May. I don't know how you are going to get the fence down. It has been out there so long as a problem, I can't really go back in time. Council heard the appeal and made a decision. I can't relitigate that. I am stuck with what we have.

J Moreno: one of the trailers has been there 19 years and no one said anything. Then the inspector changed, he retired. I'm planning to move all 3 of them.

Moermond: good, then the bills will stop coming.

J Moreno: I don't know who put these weight restrictions in, but they said the ground is too wet.

Moermond: you can definitely talk to the Council about these assessments. I've decreased them each a bit. The whole deal is if you have a legal parking surface you'd be fine, removing them is fine. I can't take the delay into account, but the Council may. It isn't under my authority since the Council already gave a deadline. We'll send a follow up email to you about how to talk to Council about this.

P Moreno: I received another letter for another assessment. Do I get another call?

Moermond: if you appeal those I'd be happy to talk to you. Mai Vang is who you've spoken to in the past. Give her a ring to schedule that.

Referred to the City Council due back on 3/22/2023

- 9 RLH TA 23-91** Ratifying the Appealed Special Tax Assessment for property at 820 WESTERN AVENUE NORTH. (File No. J2306E, Assessment No. 238305)

Sponsors: Balenger

Reduce assessment from \$407 to \$273.

Referred to the City Council due back on 4/19/2023

- 10 RLH TA 23-101** Ratifying the Appealed Special Tax Assessment for property at 1030 BEECH STREET. (File No. J2306E, Assessment No. 238305)

Sponsors: Prince

Continue PH to October 11, 2023. If no same or similar violations, reduce assessment

from \$159 to \$50.

Referred to the City Council due back on 4/19/2023

- 11 **RLH TA 23-99** Ratifying the Appealed Special Tax Assessment for property at 1534 SELBY AVENUE. (File No. J2316A, Assessment No. 238515)

Sponsors: Balenger

Delete the assessment.

Referred to the City Council due back on 5/3/2023

- 12 [RLH TA 23-109](#) Ratifying the Appealed Special Tax Assessment for property at 120 STEVENS STREET WEST. (File No. J2305E, Assessment No. 238304) (Legislative Hearing on March 21, 2023)

Sponsors: Noecker

Continue PH to April 19, 2023. Recommendation is to continue PH to July 12, 2023 and if there is compliance with July 20, 2022 orders reduce assessment from \$159 to \$79.50.

Howard Williams, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: July 20, 2022 a new Correction Notice was issued regarding some eaves on the second story of the house in disrepair. Compliance of August 22, 2022. Rechecked August 23 after the August 22 compliance date.

Moermond: why are you appealing today?

Williams: I had extensive talks with Sean. I was angry because I felt like it was handled badly by the City. The letters they sent were horrible. I was being hounded. I had bought the materials before winter, and then Covid messed up everything. I had even bought an extra ladder. We have new squirrels in the neighborhood. They eat everything. I was by Mississippi Co-op and I went down the alley and I counted 50 squirrels. This city is infested. They are new and eating up everything. They are exterminating them in Europe they are so bad. I tore down the eaves and soffits deliberately. I told Sean that. We had a new roof put on and in the process I was going to cover everything stored up there with plastic to protect it. What happened was there was going to be a severe storm and I didn't have time to cover everything and so all this mess fell into the attic. When I talked to Sean and was going to redo the eaves was I had to tore down the two end pieces and I didn't feel it was safe without scaffolding. It was heavy. Those squirrels can't get in, that's why I got it. I had to clean up the attic. I told Sean the winter was coming and I will have higher heat bills if I don't clean up the attic. That took two weeks. Now the whole side is open. Gutters have to be put in. I'm going to have to rent scaffolding or a left. I've had regular conversations with Sean. Why that hasn't gotten to you I don't know. We reached an agreement. He was going to take this other stuff out. Then I get letters from you, two of them. I've cleaned up the attic. The other side is closed but I'm going to tear it down as well so it matches. That is what going on and asking why? I had an agreement so that's why I'm asking.

Moermond: that's reasonable. Ms. Martin, it sounds like Mr. Williams had a conversation with Mr. Westenhofer, probably several occasions?

Martin: we may want to postpone this so Mr. Westenhofer can staff.

Moermond: I've opened up the file and I am seeing what appears to be notes in folder 15-141616. It looks like from his notes you had conversations October 4, 24 and November 28. Does that sound about right?

Williams: it could be but we had more calls than that. We tore down the whole side and I also had a thing that wasn't related and I felt was dangerous. I designed it. I work in engineering. I removed it.

Moermond: and I see a lot of orders about repairs for this property. The July 20th letter said you have a month to fix the eaves and soffits. He goes out after a month, finds them not done. He mails you a bill for his trip. The same thing happened again in September. Mailed another bill. Those two bills are what we are talking about today. The following month is when you started conversations with Mr. Westenhofer—

Williams: you send so many of these bills. Those letters are bad. You don't have to talk to me like that. What is it with St. Paul? He could have called me. Talked to me. I have a medical condition. I can't go running out there in August. I have to work early in the morning, maybe even in the dark.

Moermond: the step you took in October by starting that conversation with Mr. Westenhofer did result in an extension. Why didn't you pick up the phone earlier when you got the first letter?

Williams: I didn't pick it up because I am always getting letters about something, so I didn't pay attention to it. I already had an agreement with Sean.

Moermond: it looks like you didn't have an agreement until several months after the letter was mailed. The July 20 letter resulting in this assessment—

Williams: I don't even know if I got that.

Moermond: maybe you didn't open it, but it resulted in these bills and then after the second one you picked up the phone and got that extension. That extension I reasonable but people need to talk to each other.

Williams: I was angry probably. I wouldn't be surprised. I reach a point, I'll admit, where I go full speed ahead. I will admit that. But if someone is communicating in a reasonable matter, bill after bill is unreasonable. It is draconian. You could fix it yourself with the amount being charged. Instead, you keep charging people. Why would I pour more money into a situation you are being charged for already. This is a money pit. This is discrimination. I drive around the City all the time. They got on me about my garage and I tore it down. I have seen garages that make mine look like a Dairy Queen. No one says anything about those. I don't like what is going on in the West side. I see drastic differences in this City. I sent my kid to a different school because I didn't like what I saw. There's a garage nearby that is far worse than mine. They had me convinced mine could fall any day. I found it was very sturdy. It was a mistake to tear it down. Now I have to go back out and buy a new shed and get approval to do that. You are over charging people. Why would you charge someone and expect them to put more money into it? It is my money. No, because you set up this

system where you browbeat people to death.

Moermond: and you are saying if he would have picked up the phone and talked to you nicely back in July you would have had a different outcome?

Williams: absolutely.

Moermond: instead, these letters went out which you have a problem with. The bills have to do with the inspector visits. As soon as you picked up the phone the inspector worked with you on an extension.

Williams: you always talk about inspecting things. They aren't inspecting. Maybe they are driving by. There is no "inspection".

Moermond: what I see is he did take photos both August 23 and September 23. He did document his visits.

Williams: and he's going to charge \$159. I wish I could get paid that every time I drive by and take a photo.

Moermond: I need to wrap this up, we've kind of been all over the place. When will you be done with this project?

Williams: I don't want to commit to that because I know how this works.

Moermond: if I can get a commitment from you about a deadline, I can ask the Council to hold off on these assessments and if you meet the deadline I'd recommend these get decreased or deleted. If you don't meet the deadline--

Williams: the end of June. Probably before that but I know how this works.

Moermond: this is how I'm approaching this. For each of these assessments I am going to ask the Council to continue them to July 12. If the inspector says the repairs in the orders are done I'll recommend they cut the assessments in half.

Williams: cut in half?

Moermond: you can ask for something different front the Council. That is fine to do. That's what I am recommending since the trips were made and this is an ongoing thing. You have a new deadline. Realistically he will go by July 11 to check on things.

Williams: and he's going to see a half-done job. I'm not going to go mess with the sealed side. You're going to throw me further behind schedule.

Moermond: you have Public Hearings on March 22 and April 19. I can ask them to group them together April 19 so you can come and present your case to them then.

Williams: when were these scheduled?

Moermond: they are in the letters telling you about today's hearings.

Williams: I have other things far more important than this.

Moermond: I'll push it to April 19th.

Williams: this requires a lawyer.

Moermond: that is fine. That may be useful for you. That is up to you.

Williams: you just messed up my whole schedule completely.

Referred to the City Council due back on 3/22/2023

- 13 RLH TA 23-110** Ratifying the Appealed Special Tax Assessment for property at 120 STEVENS STREET WEST. (File No. J2306E, Assessment No. 238305)

Sponsors: Noecker

Recommendation is to continue PH to July 12, 2023 and if there is compliance with July 20, 2022 orders reduce assessment from \$159 to \$79.50.

Referred to the City Council due back on 4/19/2023

Special Tax Assessments-Rolls

- 14 RLH AR 23-28** Ratifying the assessments for Property Clean Up services during December 1 to 13, 2022. (File No. J2315A, Assessment No. 238514)

Sponsors: Brendmoen

Referred to the City Council due back on 5/3/2023

- 15 RLH AR 23-29** Ratifying the assessments for Property Clean Up services during December 14 to 30, 2022. (File No. J2316A, Assessment No. 238515)

Sponsors: Brendmoen

Referred to the City Council due back on 5/3/2023

1:00 p.m. Hearings

Vacant Building Registrations

- 16 RLH VBR 23-14** Appeal of James Richter to a Vacant Building Registration Notice at 1222 SEVENTH STREET WEST.

Sponsors: Noecker

Waive the VB fee for 90 days (to May 17, 2023) to have Fire C of O reinstated.

Referred to the City Council due back on 4/12/2023

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 17 RLH VO 23-11** Appeal of Warren Enright, Tenant, to a Notice of Condemnation-Unfit for

Human Habitation-Order to Vacate at 1355 EUSTIS STREET, UNIT #2.

Sponsors: Jalali

Grant to April 11, 2023 to reduce excess storage by 25%, and to May 1, 2023 for further reduction of another 25% (totaling 50% from current level).

Referred to the City Council due back on 4/12/2023

18 [RLH VO 23-14](#)

Appeal of Arnold Kampa to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1084 LARPENTEUR AVENUE WEST.

Sponsors: Brendmoen

Layover to LH April 4, 2023 at 1:30 (unable to reach PO).

Laid Over to the Legislative Hearings due back on 4/4/2023

19 [RLH VO 23-13](#)

Appeal of Atnafu Yeshidagne to a Fire Certificate of Occupancy and Order to Vacate at 506-510 SNELLING AVENUE.

Sponsors: Jalali

Layover to March 28, 2023 at 1:30 p.m. for further discussion including AEDS.

Laid Over to the Legislative Hearings due back on 3/28/2023