



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, June 6, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 23-168](#) Deleting the Appealed Special Tax Assessment for property at 1783 DAYTON AVENUE. (File No. J2308B, Assessment No. 238107)

Sponsors: Jalali

Delete the assessment.

Gary Jager, owner, appeared via phone

Staff report by Supervisor Joe Yannarely: in response to a fire January 22, St. Paul Fire Department ordered a boarding from Rest Pro for a total assessment of \$834.

Moermond: so, the crew showed up very early morning January 23. Mr. Jager, why are you appealing?

Jager: I saw no evidence of boarding. I was on the phone with a neighbor that night, well past midnight. I showed up with my property manager the next morning, around 8 am. There was no boarding of the front door, I entered with my master key. We entered the house and went to the second floor and didn't have the advantage of the fire inspector, who came later, and determined it started in the northeast bedroom, which was totally destroyed. Several windows were broken all of which were still open. We walked into the bedroom and there was 2 inches of slush and charcoal from burned wood, bed, desk, whatever was in the bedroom. 2 days later I came back and that was frozen, no boarding of windows had occurred, so we walked on it. I don't know what I am paying for. I don't know what was done that night, I saw no boarding evidence in my visits after the fire.

Moermond: Mr. Yannarely, I know these are coded as Boarding, but it is boarding and securing like screwing or hasps. You going there and getting in with your key, I don't know what was secured and what wasn't. We'll see if Mr. Yannarely knows, and the second floor being open, is that usual?

Yannarely: they secure from trespass on the first floor only.

Moermond: and the water?

Yannareilly: from fire suppression. I'm looking at the photos from inside and you can see plywood up.

Moermond: the invoice says six boardings smaller than 4x6 and a door being fastened.

Jager: the only windows broken were on the second floor. I saw no evidence of closed doors, I just put my key in and walked in. The second-floor windows were boarded but that was 4 days later. You would need a ladder.

[Yannareilly called Rest Pro]

Yannareilly: they don't have photos, told me the same as is on the invoice.

Moermond: and the photos show it done on the interior, not the regular gray boards.

Yannareilly: yes. They are also larger than 4x6'.

Moermond: and I have concerns that it wasn't the normal weather proofed boards that the City is paying for. Can you follow up with them? I am sure they are required to do the gray weatherproof boarding. I'm going to recommend this is deleted. There isn't proper documentation, the City needs that as well as you. I appreciate you bringing this to our attention.

Referred to the City Council due back on 6/14/2023

- 2 [RLH TA 23-230](#) Ratifying the Appealed Special Tax Assessment for property at 1093 EUCLID STREET. (File No. VB2309, Assessment No. 238811)

Sponsors: Prince

Layover to LH June 20, 2023 at 9 am (unable to reach PO).

Tried calling at 9:16 am: voicemail box full and unable to leave message

Tried calling 9:48 am: voicemail box full and unable to leave message.

Moermond: this is the first hearing today; we'll continue this to June 20th. I don't want to push it further because the only July date is July 18th, which won't work.

Laid Over to the Legislative Hearings due back on 6/20/2023

- 3 [RLH TA 23-186](#) Ratifying the Appealed Special Tax Assessment for property at 600 HATCH AVENUE. (File No. J2301V, Assessment No. 238000) (Refer back to June 20, 2023 Legislative Hearing)

Sponsors: Brendmoen

Refer back to LH June 20, 2023 at 9 am (unable to reach PO). (New CPH July 12)

Megan Piceno, property manager, appeared

Moermond: who owned it in March of 2022?

Piceno: we didn't, it is an empty lot.

Moermond: when did you acquire it?

Piceno: you may have to talk to my boss, I don't know any details.

Voicemail left at 9:53 am for Quintus Pillai at x6757: this is Marcia Moermond from St. Paul City Council calling you about an appealed tax assessment for 600 Hatch. We just spoke with Megan Piceno about it, and I think we need to talk to you as it has to do more with when the lot was transacted. We'll try you back in a few minutes, otherwise we'll follow up with an email and do some rescheduling.

Voicemail left at 10:15 am for Quintus Pillai at x6767: this is Marcia Moermond again from St. Paul City Council calling you about that assessment for 600 Hatch. I'm going to lay this over for 2 weeks. We'll put this on the calendar June 20th, your Council Public Hearing is actually next week, so I'll ask them to put it on their July 12th hearing calendar. We have an email address for you, if you have questions you can also reach to Joanna Zimny.

Referred to the City Council due back on 6/14/2023

- 4 RLH TA 23-208** Ratifying the Appealed Special Tax Assessment for property at 575 MARYLAND AVENUE WEST. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: an order went out January 10, because of the snow that fell on the 3rd and 4th, 15" worth. Rechecked January 13, but the Parks crew went out February 6 an additional 17" of snow had fallen so it is too hard to tell what was removed by parks and ordered previously, so recommend deletion.

Referred to the City Council due back on 6/28/2023

- 5 RLH TA 23-235** Ratifying the Appealed Special Tax Assessment for property at 803 MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: orders went out January 10, because of the snow that fell on the 3rd and 4th, 15 inches worth. Rechecked January 13 and wasn't addressed, but the Parks crew went out February 6 and an additional 17" of snow had fallen. It is too hard to tell what was removed by Parks and ordered previously, so recommend deletion.

Referred to the City Council due back on 6/28/2023

- 6 RLH TA 23-236** Ratifying the Appealed Special Tax Assessment for property at 807

MARYLAND AVENUE EAST. (File No. J2320A, Assessment No. 238523)

Sponsors: Yang

Delete the assessment.

No one appeared

Moermond: orders went out January 11, because of the snow that fell on the 3rd and 4th, 15 inches worth. Rechecked January 17, but the Parks crew went out February 10, a full month after the orders. An additional 17" of snow had fallen so it was impossible to tell what was removed by Parks and ordered previously, so recommend deletion.

Referred to the City Council due back on 6/28/2023

- 7 **RLH TA 23-227** Ratifying the Appealed Special Tax Assessment for property at 1367 PAYNE AVENUE. (File No. J2320A, Assessment No. 238523)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: orders went out January 12, because of the snow that fell on the 3rd and 4th, 15" worth. Rechecked January 18 and it wasn't addressed, but the Parks crew went out February 14 and an additional 6" of snow had fallen so it is too hard to tell what was removed by parks and ordered previously, so recommend deletion.

Referred to the City Council due back on 6/28/2023

- 8 **RLH TA 23-233** Ratifying the Appealed Special Tax Assessment for property at 945 WOODBRIDGE STREET. (File No. J2320A, Assessment No. 238523)

Sponsors: Balenger

Approve the assessment.

Ini Augustine, owner, appeared via phone

Unknown female appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: a Summary Abatement Order to remove snow and ice was issued February 9, 2023. 24-hour compliance. Rechecked Feb 13 and found in noncompliance. Parks did the abatement February 18, 2023 for a total assessment of \$322.

Moermond: why are you appealing Ms. Augustine?

Augustine: I'm appealing because the City of Saint Paul didn't keep its own streets in proper maintenance in accordance with its own standards yet is sanctioning me for doing the same. I was unable to remove the ice. Obviously the City had the same problems that individuals did. The same day they issued that summons there were 3

inches of ice on the street in front of my house that the City of Saint Paul failed to remove. I found it telling they cleared not only my lot but the lot next to mine, and wanting to charge me for that cost. They want to charge me when they failed to maintain the street in the same manner. That's why I'm appealing.

Moermond: so, you feel like your road wasn't plowed adequately and therefore you shouldn't be responsible for shoveling the sidewalk?

Augustine: no. I shoveled the sidewalk to the best of my ability but there were several inches of ice I was physically unable to break. Clearly the City was unable to do it as well since they failed to do so on the road in front of my home. In addition, the work they did was for the lot next to my home, which I do not own.

Moermond: you weren't being charged for that.

Augustine: on the video they sent it shows that the lot next to my home was cleared.

Moermond: there is a single property charge on this bill.

Augustine: and the time they spent clearly includes time doing the neighbor's lot which I shouldn't be responsible for. That's the issue, as well as the fact that if they had time to clear my sidewalk why wouldn't they have cleared roads as well since it was a wide-spread problem in Saint Paul. It was one of the reasons we lost our garbage carrier, that the City failed to maintain its streets. It seems unfair that if they were unable to maintain streets because this was a historic snow season that they would expect me, a disabled black woman, to maintain the sidewalk when they don't maintain their own roads.

Moermond: I did look at your sidewalk and it was a narrow path you had shoveled. Barely a shovel width removed. The ice formulation existing when the orders were issued and then the work conducted would have been from precipitation fully 2 weeks earlier. I can't speak to the City cleaning its own roads, you can make that argument to the City Council. The temperatures in that general time period, orders issued February 9th and we have maximum temps of 45, 38, 29, 39, 43, 43, 43 and 26 degrees. All of those temperatures would have been more than adequate for application of salt.

Augustine: I did. I have testimony of the person who did the work. They shoveled and tried using salt.

Unknown female: I've been putting down salt, I tried a sharp shovel, different varieties of salt and none of it worked.

Augustine: salt and sand.

Unknown female: it did take—we don't have industrial equipment.

Augustine: how many days?

Moermond: it would have been snowfall that occurred the beginning of January and a bit in mid-January. I look at this and I think I'm not persuaded by your argument, but the Council could be. We can email you and give you information on how to testify, it is also on the letter that tells you about today's hearing. You can present to Council and they may look at it differently. For my purposes there is a responsibility for private

property owners to clear the walks, especially for people who have difficulty moving around. They need to get to bus stops as well. There is that obligation there. Again, the Council could be persuaded by your arguments and we'll get you that information to testify.

Augustine: I will do that.

Referred to the City Council due back on 6/28/2023

10:00 a.m. Hearings

Special Tax Assessments

- 9 [RLH TA 23-205](#) Ratifying the Appealed Special Tax Assessment for property at 817 MARSHALL AVENUE. (File No. J2307E1, Assessment No. 238320)

Sponsors: Balenger

Approve the assessment.

Channa Pittman, owner, appeared via phone

Richard Pittman, husband of owner, appeared via phone

Moermond: we are following up on the hearing from Tuesday May 16. We were talking about 2 Excessive Consumption inspections, and the costs that were incurred. One November 10 and the other November 29. That is the inspector going by and the work not being done. We have two other assessments pending and 2 bills which have not yet gone to assessment. Six items out there. I understand from the minutes there was going to be follow up information from you folks as well as DSI. Everyone was going to regroup and provide that. Mr. Kedrowski, can you talk a bit about where things are at since we last spoke? Mr. Pittman indicated the tires were filled and tabs updated. He was in his yard all day the day before and didn't see anybody. You were going to go by and take a look, what were your findings?

Supervisor Richard Kedrowski: I was at the property on May 19th and the tires were still flat. It did have current tabs with a new plate number at that time, so we reflected that in our notes. The vehicle was still inoperable.

Moermond: so current tabs, which is one half of what was going on. The other half was it appearing to be inoperable, and that wasn't addressed because tires were flat?

Kedrowski: yes, tires were flat and Mr. Pittman told me the timing belt has slipped on the vehicle, so it is not running. He has confirmed that. So new orders were issued for tires and being inoperable. Expired tabs were removed from those orders.

Moermond: that's DSI's update, what is your update Mr. Pittman, Ms. Pittman?

Richard Pittman: I don't even know why we're going through this. I was told one thing. I did what I was told twice. The tires were inflated. They aren't busted but they do lose air. Every couple weeks I have to put more in. I did inflate them; they weren't all the way flat. They had the appearance of being flat but they had air in them.

The car isn't visible to the public. There is no public street you can drive down to see the car it is on my personal property. It has 3 fences around, the only area that is

unfenced is where we drive into it in the back of our house. I was told to put the plates on. I contacted Cars for Kids twice but they don't want it I guess. They haven't responded. I don't feel I should be harassed and threatened about removing my personal property that I pay taxes for. There is insurance on my car and it is in my name, and I'm being threatened to have it towed and have a \$1,000 fee as well as assessments. We are tax paying citizens. We keep our yard up. We abide by the law. Then you're giving me a criminal citation, as if I'm running around committing crimes. I'm 59 years old and have always been a law-abiding citizen. I just feel like we're being harassed. I don't know who you guys know over here or why we're being harassed. An alley is an easement, not a street--

Moermond: it is actually a public right of way the same way a sidewalk is. Passable by anyone. A right of passage for all people, not those who have a legal easement on it. The alley and the sidewalk is for everyone.

Richard Pittman: that is understandable, but no one travels consistently down alleys to arrive and their destination. I talked to several police officers and they are all confused why we're being ticketed. He had come and looked at the car and said "why are they ticketing you guys? You have plates and it is on your property, it isn't on the street." Even the police officers are saying---

Moermond: can I roll us back a second? We're having a problem with terminology and I wanted that clear. The order that is out there now is not a criminal citation. We're having a conversation about a civil action. There is nothing criminal citation-wise. The police operate in that world. On rare occasions the Department of Safety & Inspections may write one, but that is not the kind of order existing here. This says you need to take care of it and if you don't the City will tow it or charge you for a future inspection. No criminal record or impact on credit rating; nothing like that.

Richard Pittman: I'm going by what is in bold print on your letter that I received in the mail yesterday. It says you will receive a criminal citation.

Moermond: that is one of the options they can do. That rarely happens, but it is something that could. It says MAY result in tagging, towing, collection of costs. It is a potential result, not a done deal. I do see that warning, but this is not a citation. I just wanted to clarify that. You were saying it isn't visible, thinking this is harassment and you did take care of filling—

Channa Pittman: we know this is harassment. We know you are harassing us because we called the police about the vehicles being parked on this side of the block and they didn't like it. People can't use their friends to harass people. That's exactly what you guys are doing. I'm going to continue to call the police every time he parks his van and trailer there for more than 24 or 72 hours on my side of the street. Our car has been there since 2019. The City came and cut trees from our fence, and they never said anything. Because we called the police on the people across the street all of a sudden you want to come up on our property? Our property is on a hill, we can barely even see the car from the alley. You are harassing us. Legally you have no standing to send us anything. It is on a decent spot. It is cleaned and being maintained. It is insured. It is on our property. You can call it an alley or a street or whatever else you want to call it but in order for you to see it he has to come up the hill and look at it. He's coming on our property without our permission. You have no right to come on our property without our permission, at all. You are harassing it. Because you have that privilege.

Richard Pittman: I filed an appeal because you threatened to tow my card on the 7th.

Tomorrow. I won't be here, I have a meeting with John Choi and the Mayor about this very thing, talking about traffic stops. A town meeting and press conference. I'll be with them. I would hate for you to come tow my car while I'm doing that. I appealed it. You told me to call my City Councilperson and I did, I called and she told me to file an appeal.

Moermond: your City Councilmember is a man.

Richard Pittman: he lives down the block from me, I know who he is. I know all the City Council people.

Moermond: orders were issued October 31, 2022. We have been talking about the last couple of months, but can you cast your minds back to October and November 2022 and what steps you would have taken. I didn't see an appeal of those orders. The bills would have been coming out, now I'm looking at it way down the line as an assessment—

Richard Pittman: I just filed an appeal yesterday.

Moermond: and that was on a new order and is scheduled and enforcement is stayed.

Channa: you were told the last meeting that my husband called the inspector several times and he didn't call back until December. You guys are lying and you are harassing us. It isn't bothering anyone. You are wasting my time and my husband's time! We have to work! I will not allow people to park their vehicles on the corner of my house and leave them there for weeks at a time and not call the police. You can let them know I'll continue to do it! Also, you are abusing your privilege because you shouldn't have time to come and harass people. People of color already have enough harassment. We don't need you guys lying and saying we keep our property messy and we have all this junk. That is absolutely a lie. I'm not paying your files. I'm appealing because you are lying. You have to come up on the hill to even see this. That is lying. This is wasting all of our time. Do whatever you need to do and we'll see you in court. We've already appealed and we'll see you in court. You should have nothing else to say—we're appealing it. We need to move to court now.

Moermond: we'll send an email and confirm the Council Public Hearing dates so you have those and the ways to participate. If you don't get satisfaction at the City Council, the next step is district court. The invoice for the taxes that explains that process for doing that. I haven't arrived at a recommendation yet on these assessments in front of me. I'll also work on your appeal of the order you received last week. The book is still open for me. All enforcement of that order is stayed until it is resolved. That means when the Council votes on it one way or another. We'll send you follow up information on that. I'm sorry you feel it was a waste of your time today. We'll respond--

Channa Pittman: it is a waste of my time; you are harassing us.

Follow up, on the record, after the hearing:

Moermond: we have Council Public Hearing scheduled June 14th for both of these. On reviewing these two assessments, which were the first two following the issuance of the Summary Abatement Order I'm not finding a reason to recommend deletion of those assessments based on the photographs provided on the reinspection dates. Those do show it is noncompliance, lacks current tabs and the tires are flat. Notably no appeal was filed of the October 31, 2022 Vehicle Abatement Order so there was no

opportunity to discuss what to do at that time. They indicated they tried to reach out to the inspector, but they didn't reach out to our office which also would have worked. There are forthcoming assessments to be discussed in the future.

Referred to the City Council due back on 6/14/2023

10 [RLH TA 23-206](#) Ratifying the Appealed Special Tax Assessment for property at 817 MARSHALL AVENUE. (File No. J2308E, Assessment No. 238307)

Sponsors: Balenger

Approve the assessment.

Channa Pittman, owner, appeared via phone

Richard Pittman, husband of owner, appeared via phone

Moermond: we are following up on the hearing from Tuesday May 16. We were talking about 2 Excessive Consumption inspections, and the costs that were incurred. One November 10 and the other November 29. That is the inspector going by and the work not being done. We have two other assessments pending and 2 bills which have not yet gone to assessment. Six items out there. I understand from the minutes there was going to be follow up information from you folks as well as DSI. Everyone was going to regroup and provide that. Mr. Kedrowski, can you talk a bit about where things are at since we last spoke? Mr. Pittman indicated the tires were filled and tabs updated. He was in his yard all day the day before and didn't see anybody. You were going to go by and take a look, what were your findings?

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11 RLH TA 23-231 Ratifying the Appealed Special Tax Assessment for property at 340 LAWSON AVENUE EAST. (File No. J2309E, Assessment No. 238311)

Sponsors: Brendmoen

Layover to LH July 18, 2023 for further discussion (CPH July 19).

Ka Vang, owner, appeared via phone

Yer Her, daughter of owner, appeared via phone

Mai Vang interpreted

[Moermond gives background of appeals process]

Moermond: I hear chirping in the background, is that a smoke detector?

Vang: yes, I am waiting until Friday to buy batteries.

Moermond: before we go further, Ms. Zimny can you reach out to the Fire Department about getting someone out there to get free smoke detectors?

[Zimny emails Fire staff who went out same day and put in new batteries]

Staff report by Supervisor Richard Kedrowski: June 1, 2022 an inspection was done and it was determined that there was a structural post missing from an awning in the back and damage to a fence. Orders were written for the repairs, which were not completed. Numerous Excessive Consumption fees were assessed. This is pertaining to two of those Excessive Consumption fees for a total assessment of \$283.

Moermond: a correction order because a car hit a post supporting a porch post and we're still waiting for it to be fixed.

Kedrowski: correct.

Moermond: Ms. Vang, do you understand what the Excessive Consumption assessments are for? What kind of charge it is?

Vang: I didn't understand the Excessive Consumption. All I see is the bills but it doesn't describe them, so I didn't understand.

Moermond: do you have any estimate of when the repair will happen?

Vang: we don't have an answer from the insurance company to pay more than \$1,900. Once we get that we will do the fixes.

Moermond: when is the last time you talked to your contractor?

Vang: I don't know, it is my daughter who calls.

[Yer Vang was called into hearing]

Yer: they just emailed yesterday.

Moermond: I'm going to consider this a little bit, right now there are 8 assessments out there. Each for \$124 plus service charges, which makes the bill over \$1,000 for the bill not being done. I'd like to work with you guys on this. I know there are some language difficulties, but you also have some responsibility. I'd like to talk again in a few weeks' time.

Her: I don't understand why there are so many bills when it is taking such a long time to go through the process. I haven't seen anyone come by.

Moermond: sure, the letter Mr. Kedrowski talked about went out June 1, 2022 saying the work needed to be done by August 1. When it wasn't done the inspector continues to go by to see if it has been done. They're looking at the blown deadline from summer of 2022 and that deadline. Mr. Kedrowski, anything to add?

Kedrowski: that is accurate. It is repeated rechecks with the dates being established on the Excessive Consumption fees with a new date, and new orders when that deadline isn't met.

Moermond: I hear she has paid a couple, and we have a bunch of them pending. Don't pay any bills, we'll talk about the other pending ones too. We'll talk on July 18th about all of those. In the meantime, the Fire Department has confirmed that they will stop by today with a free replacement smoke detector.

Her: I would like the inspectors to stop coming by, they are making the situation worse. Their hours are being cut at work.

Kedrowski: we'll hold this since it is under pending action from your office.

Moermond: it is on hold until we talk again.

Referred to the City Council due back on 7/19/2023

12 RLH TA 23-234 Ratifying the Appealed Special Tax Assessment for property at 1738 UNIVERSITY AVENUE WEST. (File No. J2309E, Assessment No. 238311)

Sponsors: Jalali

Approve the assessment.

Ali Nadimi, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: a notice was sent to both addresses, 1744 and 1738 University Ave W January 10, 2023 for unshoveled sidewalk. We wait 2 days and then the 3rd day an inspector goes out to verify it was done. We give some extra time. On reinspection the sidewalks hadn't been shoveled. A Work Order was issued, and by the time the crew went out to shovel they had been cleared, but since the crew had been dispatched a Parks Excessive Consumption fee was sent for staff time. The total cost is \$159 for each of the properties.

Moermond: why are you appealing Mr. Nadimi?

Nadimi: each time it snows they shovel right away. Do you have pictures showing we didn't do it?

Moermond: I do. Something was sent to you May 31 regarding this.

Nadimi: those two pictures don't show anything. If you see it, we are on university and each time it snows the City plow comes and throws the snow into the sidewalk. It

shows we already cleaned it. If there is more snow, look on the right-hand side, it was thrown into the sidewalk. The picture shows it was already cleaned.

Moermond: what about the left-hand side?

Nadimi: you see the ground. We had a lot of snow that day. You see the ground. That shows we cleaned it up.

Moermond: I'm looking at it a little differently. I can see that the snowbank on the street side is big and that does impact the sidewalk. On the left side I also see that it hasn't been cleared to the side. The snow that would have been cleared would have fallen January 3 and 4, and it was 10 days later when this photo was taken. There was adequate time for you to address this. You certainly couldn't get a wheelchair down it.

Nadimi: you can, and it was cleared after again too. Originally it was cleaned too. You're saying I didn't put in effort to clean it. Who cleaned the ground if it wasn't clean?

Moermond: I can see sidewalk, definitely, down the middle. I can see the cement.

Nadimi: that means we put in effort.

Moermond: it could also mean the sun melted it. The responsibility is full width, not a path down the middle. That is especially important on a commercial corridor like this.

Nadimi: we did, it was done and then more snow put on, and then did it again.

Moermond: the work crew was deployed and found it done, but they were deployed because it wasn't done on deadline. Did you do the work? Yes. They're saying it wasn't done in time.

Nadimi: what you see is it was clean, then the City threw more, and then it was done again. Do you have a picture of it being cleaned?

Moermond: there is no argument it was clean when the crew showed up January 18th. They are saying it wasn't done on deadline so the crew was needlessly deployed.

Nadimi: we have to shovel 4 times, each time they come they throw the snow on the sidewalk. We have to pay 2 to 3 times and then the City charges us too. We already paid someone 3 times. It isn't a regular road. Each time the plow comes they throw it on the sidewalk. It isn't just once. We have to do it 4 or 5 times a week.

Moermond: I understand it is hard to keep up with, but I come back to the fact it had been 10 days since it last snowed and when the inspector went out. The City would have been done plowing for a long time at that point. I agree you had it done by the time the crew went out. I do understand this is a narrow area and the snow gets tossed on it, and University Avenue with all the public transportation it is hard to find places to put the snow, no question. But it has to be off the sidewalk. I do not see it cleared full width. The Council may look at it differently than I do. That is definitely an option to talk to them and see if they do. I'm inclined to recommend approval. I don't think the inspector saw a finished job, but I do believe you finished after they came to visit.

Nadimi: ok. It isn't a fair game. We have to clean three or four times; it isn't just once.

Referred to the City Council due back on 7/19/2023

13 RLH TA 23-238 Ratifying the Appealed Special Tax Assessment for property at 1744 UNIVERSITY AVENUE WEST. (File No. J2309E, Assessment No. 238311)

Sponsors: Jalali

Approve the assessment.

Ali Nadimi, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: a notice was sent to both addresses, 1744 and 1738 University Ave W January 10, 2023 for unshoveled sidewalk. We wait 2 days and then the 3rd day an inspector goes out to verify it was done. We give some extra time. On reinspection the sidewalks hadn't been shoveled. A Work Order was issued, and by the time the crew went out to shovel they had been cleared, but since the crew had been dispatched a Parks Excessive Consumption fee was sent for staff time. The total cost is \$159 for each of the properties.

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Nadimi: ok. It isn't a fair game. We have to clean three or four times; it isn't just once.

Referred to the City Council due back on 7/19/2023

Special Tax Assessments-ROLLS

- 14 RLH AR 23-50** Ratifying the assessments for Collection of Vacant Building Registration fees billed during July 7, 2022 to January 24, 2023. (File No. VB2309, Assessment No. 238811)

Sponsors: Brendmoen

Referred to the City Council due back on 7/19/2023

- 15 RLH AR 23-51** Ratifying the assessments for Securing and/or Emergency Boarding services during February 2023. (File No. J2309B, Assessment No. 238109)

Sponsors: Brendmoen

Referred to the City Council due back on 7/19/2023

- 16 RLH AR 23-52** Ratifying the assessments for Fire Certificate of Occupancy fees billed during December 21, 2022 to January 21, 2023. (File No. CRT2308, Assessment No. 238207)

Sponsors: Brendmoen

Referred to the City Council due back on 7/19/2023

- 17 **RLH AR 23-53** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during December 23, 2022 to January 19, 2023. (File No. J2309E, Assessment No. 238311)

Sponsors: Brendmoen

Referred to the City Council due back on 7/19/2023

- 18 **RLH AR 23-54** Ratifying the assessments for Graffiti Removal services during January 3 to 12, 2023. (File No. J2305P, Assessment No. 238404)

Sponsors: Brendmoen

Referred to the City Council due back on 7/19/2023

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 19 **RLH SAO
23-20** Appeal of Hope D. Glaser to a Summary Abatement Order at 711 BEDFORD STREET.

Sponsors: Noecker

Deny the appeal noting the nuisance is abated and the matter resolved.

No one appeared

Moermond: the appeal of the Summary Abatement Order we talked on May 22. You had an inspector out yesterday, what was the finding?

Supervisor Richard Kedrowski: the porch has been cleaned off, the feeding bowls and litter boxes are removed and the rear yard had the ladders and other things removed. Well beyond substantial compliance.

Moermond: we'll deny the appeal noting they are now in compliance.

Referred to the City Council due back on 6/21/2023

- 20 **RLH SAO
23-24** Appeal of Shore Vang and Xue Thao to a Summary Abatement Order at 1318 BUSH AVENUE.

Sponsors: Yang

Deny the appeal, noting the property is now in compliance.

No one appeared

Moermond: we have orders issued to both that property and to the neighbor at 1322 for the same large pile that went over both properties on the alley side. We got an appeal from 1318. Mr. Kedrowski, you went by before today's hearing and have a finding?

Supervisor Richard Kedrowski: the items have been removed. One inspector wrote on

the code, one wrote on common sense, but it is resolved.

Referred to the City Council due back on 6/21/2023

**21 RLH SAO
23-21**

Appeal of Kerry Lee to a Vehicle Abatement Order at 315 CHARLES AVENUE.

Sponsors: Balenger

Grant to July 7, 2023 for compliance.

Mr. Kerry Lee, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: a Vehicle Abatement Order was written May 12 for a white Toyota with blocks blocking tires, flat tires, expired tabs. May 26 would have been the compliance date but an appeal was filed.

Lee: I bought the car a couple of years ago. I tried to sell it but no one wants it. Someone took the engine and transmission for a couple hundred dollars. I need more time for him to come and then I will call someone else.

Moermond: so, you are trying to sell the transmission and then have it towed?

Lee: yes, my cousin is going to take it for a couple hundred. I need a couple of weeks. Maybe a month.

Moermond: today is June 6. I will ask the Council to give you to July 1 to get it taken care of. We'll send it in front of Council June 21 for them to discuss.

Lee: that works for me.

[Note: compliance date extended to work around weekends/City Holidays - JZ 6/9/23]

Referred to the City Council due back on 6/21/2023

1:00 p.m. Hearings

Making Finding on Nuisance Abatements

22 [RLH SAO 23-7](#)

Making finding on the appealed nuisance abatement ordered for 1676 NEVADA AVENUE EAST in Council File RLH SAO 22-55. (Public hearing continued to June 14, 2023)

Sponsors: Yang

Continue CPH to June 14, 2023. The nuisance is not abated.

Ed Pooley, owner, appeared via phone

Moermond: we're following up on your orders for 1676 Nevada. Today's hearing is to check if you are in compliance with the Council's decision January 4 and to see if you have things done by that extension.

[Moermond gives background of appeals process]

Pooley: I'm almost done, it is like 95% done.

Staff update by Supervisor Matt Dornfeld: me and the property owner have been in contact on the telephone and via text message. I was by there briefly today. We have received multiple neighborhood complaints, they continue to come in. He has made small improvements. I don't agree with the 95% improvement he stated. We do still have pallets of block and scrap building materials. He does state he is in the process of recovering from the fire and rehab is ongoing. He is using some of the cement block to make some sort of unstable retaining wall, trying to stack them on the ground in some sort of wall that will certainly be illegally.

Moermond: Mr. Pooley, tell me about your perspective.

Pooley: what I put around my fire pit, I have a legal fire pit in the backyard. I did a half moon circle around it going 45" stacking bricks; like you would around a garden. It is mostly stable and on bedrock of hard ground. I can't even grow grass in the front yard it is so hard. I guess I'll have to go down to the City. I didn't think I needed a permit to put a windbreak to keep smoke from blowing. I had 14 pallets and I'm down to 1 pallet with 20 bricks. Thursday I had 4 pallets since Thursday. I have been working around the clock since Thursday moving bricks on my own. I'll be 62 next Sunday. Matt's main concern was removing the snow mobiles and the bricks moved off the pallets. I have trash coming tomorrow, I've done a couple dump runs. The problem is while they were working on my house-- I should have been remodeling my house and instead I was moving bricks off the pallets. That's what I was told to do. Those are 50 pounds apiece. I'm doing the best I can. With everything going on, I'm not even in my house yet. I'm staying somewhere else and going there every day. The construction company took all my furniture out of the basement and set it in the yard for 2 weeks. I have my front yard picked up somewhat. I stacked some up there. I was hoping to have my stove delivered Friday and my final inspection. I don't even have residency at this yet. Matt has to agree the backyard from the alley, aside from a few bricks, are all that's left out of 5 pallets since last Thursday. Snowmobiles are gone. Storage containers are out of site behind the fence. Inside my fire pit is in the firewood I took out of the storage container, covered with a tarp.

Moermond: the fire pit issue, it looks like you have a 41-foot lot. A fire pit needs to have a 25 feet circumference from any other structure or property line. It is mathematically impossible for you to do that.

Pooley: ma'am I've had it there six years and the fire department has come by and saw how deep it is and how it is made and haven't had a problem with it.

Moermond: I am telling you what the fire code is.

Pooley: I'll have to change it then. I'll have to get rid of the fire pit.

Moermond: that isn't going to be a way for you to use those bricks. The photos from Mr. Dornfeld taken today shows a fair bit of work to do.

Pooley: what do I need to do? Just the move the last of the pallets? Or do I have to take that down. Can I use a propane, gas fire pit back there? Instead of an actual fire pit?

Moermond: I will tell you to follow up with fire inspection department. I'm concerned you would use all your brick there and just have to move them again. I don't want you to be in that position. The original orders talk about removing and properly disposing of concrete blocks. I am seeing still concrete blocks and building materials, chest freezers and miscellaneous debris from the rear yard. I'm still seeing concrete blocks and building materials. My finding for Council is that isn't completely addressed yet. That's all my finding is; it isn't done yet. Is that fair?

Pooley: that is fair. I have one more day of work to move them off the pallet ma'am. I'm hoping to get into my house Friday, but I think it will be next week. I'm trying to do my best ma'am, I've got 4 sisters and brothers, 20 nieces and nephews and no help from anyone. I am doing the best I can.

Moermond: I understand. It is common when there is fire and insurance involved that it takes up to a year to get back into their homes.

Pooley: they were frozen for four months. I couldn't move.

Moermond: we talked about that in December and January.

Pooley: I'm a union carpenter and those bricks are stable. I don't think you could push on it anywhere and it would fall unless you really pushed on it. It was a quick idea to get the bricks off the pallets. I even put them on Facebook for free. I tried. I'm trying to find the best solution to make the City happy.

Moermond: Mr. Pooley, every time I try to say something you try to talk over me and it is disrespectful.

Pooley: I'm sorry.

Moermond: I am going to make a finding you aren't in compliance. This goes to Council tomorrow. You would have received a letter telling you that. What I am going to do is ask the Council to lay it over one week, to June 14. At that time if you are not in compliance I will authorize the Department to take enforcement action. That could be sending a crew to finish cleaning, sending you a bill for noncompliance. He has that discretion. That's if you aren't done by the 14th. If you aren't done I recommend you come speak to the Council about it.

Pooley: when you say "done", what do you mean? You want the rest of the bricks off the pallets?

Dornfeld: I think he is attempting to twist his orders by taking the bricks off the pallets and simply putting them in his yard. That is not what was intended. You can't store building materials on your property. They have been there—

[Pooley interrupts]

Moermond: Mr. Pooley, we just had this conversation about you talking over people. One voice at a time. Mr. Dornfeld, please finish.

Dornfeld: the bricks need to be gone. All of the storage of junk, scrap building materials, appliances, it cannot be out there. It has to be gone. There are no more excuses. Get rid of it and be done with it so we don't have to talk about it anymore.

Get a dumpster.

Moermond: is that clear Mr. Pooley?

Pooley: I am going to be at that hearing next week. What I did with the brick was what I planned to do with it. I will put a top on the fire pit and find out from the City if I can put a gas tabletop firepit there. The brick isn't stored there. I was planning on doing this out there, to have an area around the fire pit to play my guitar. I'm trying to sort through it. I took down the fencing around my deck, I have to put that fencing back up. Everything in my yard I'm waiting for the contractor so I can put it back in my house.

You have me doing 10 things at once but I can't when the contractor is bringing out more furniture. Who do I check with to find out? My brick is not stored there. That was my idea. I want to have the rest be a garden and sand in the inside. I want to talk to City someone because I'm not going to take down what I spent 5 days building. It is on solid ground. It is stable. Who do I go to---do I need a permit to put a windbreak? Everything I do is for safety. There is no way in a week unless I get someone on Facebook to take them. I've tried to give them away. I'm trying to beautify my house.

Moermond: Mr. Dornfeld, can you visit the property and come up with an assessment—

[Pooley interrupts]

Moermond: Mr. Pooley, stop interrupting me. I'm going to ask Mr. Dornfeld to go out to the property on Wednesday, morning June 14th. Take pictures and do an assessment of whether or not he believes you are in compliance, and if not what the faults are. That report will be put in front of the Council and we will work with that. They may have a different opinion on if it is in compliance. Ultimately they are the decision-makers. We'll have that current information and give another 7 days to figure something out. You contact who you need to about the fire pit, I just wanted to point out that 25 feet is what the fire code says.

Referred to the City Council due back on 6/7/2023

Vacant Building Registrations

- 23 RLH VBR** Appeal of Kurt Wescott to a Vacant Building Registration Requirement at
23-22 32 BENHILL ROAD.

Sponsors: Noecker

Waive the VB fee for 90 days (to September 8, 2023).

Kurt Wescott, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: opened as a Category 2 Vacant Building in 2016. This did go through our sale review process and approved in November 2020. We do have a Code Compliance Inspection and trades permits on file. Current rehab is ongoing and the property has not been a nuisance to date. The \$4,918 registration fee is past due as of May 19.

Wescott: it was my brother's estate, Todd is my brother, he passed away in 2022.

Moermond: are Rosalie and Walter around?

Wescott: it was just put in their name as of June 1, that is my mother and father.

Moermond: so, you are appealing on behalf of your mother and father the Vacant Building renewal. You are close to being done?

Wescott: exactly. Since he passed it took some time to get things squared away. We have everything done, I have the receipts, except for May 21 we put in for the cabinets in the kitchen, they are 8 weeks out and then we have to do the lighting. Plumbing is done, I think they did the rough-in, and electric but we're waiting on the lights under the cabinets for a final. I think we're on the right path.

Moermond: looks like the rough-in was good on plumbing and the permit was extended. Is there anything stopping that?

Wescott: no.

Moermond: I'd call and get that final done. What I can do is ask the Council to waive the Vacant Building fee 90 days for you to wrap this up and avoid the Vacant Building fee. [long discussion of open permits and who to call]. Your 90-day waiver takes you to September 8 to get your Code Compliance certificate issued. If it takes longer than that, it will get processed as an assessment on the taxes, appeal that. You're likely to be really close to be done. Then we can discuss prorating it.

Referred to the City Council due back on 6/21/2023

- 24 [RLH VBR 23-21](#) Appeal of Danny Joslin, on behalf of owners Wendy and Jeffery Guertin, to a Vacant Building Registration Notice at 826 COMO AVENUE.

Sponsors: Brendmoen

Layover to LH July 11, 2023 at 1 pm (rescheduled by request).

Laid Over to the Legislative Hearings due back on 7/11/2023

- 25 **RLH VBR 23-25** Appeal of David Busch, DRB #24 LLC, to a Vacant Building Registration Notice at 547 EDMUND AVENUE.

Sponsors: Balenger

Waive VB fee for 90 days (to August 16, 2023).

David Busch, owner, appeared via phone

Ryan Farris, contractor All Weather Exteriors, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: almost a year ago this month, June 22, 2022 we received a form 4 after a kitchen fire and the utilities were shut down. Inspector Toeller responded and condemned the building. July 29, September 9 and September 26, 2022 there had still been no permits pulled. Finally, November 4, 2022 a permit for repairs to the kitchen and bathroom were in the system. December 9, 2022 permits to repair the fire damage were opened. Basically, throughout the winter they were waiting

for parts for cabinets, drywall and flooring were somewhat complete. Still not done in May and the Inspector talked to him about closing permits, that was May 2 to have done by May 5. None closed by May 12, no updates from contractor, so it was sent to the Vacant Building program.

Moermond: it looks like there was a condemnation order to vacate issued December 9 originally, then another one today issued May 12. Two covering the same exact thing.

Shaff: it started out as a referral and the inspector transferred it to the Fire Certificate of Occupancy file, so you would read two in there, yes.

Moermond: that isn't standard procedure for fires. That would be an assessment to determine if it was habitable and if not it is immediately referred to the Vacant Building program. Mr. Do's team would make it a cat 1 due to a fire. Mr. D, you caught the ball recently.

Staff report by Supervisor Matt Dornfeld: that is correct. We opened a Category 1 Vacant Building fire file on May 16, 2023 per the referral from Fire inspection. At the time Inspector Hoffman noted it appeared to be vacant and secure.

Moermond: in my experience it takes 9 to 12 months for insurance and contractors to be squared away after a fire, is that true generally? What is your experience?

Dornfeld: it is usually quite a journey after a fire. The time-frame varies, but 9 to 12 months is fair at a minimum.

Moermond: Mr. Busch, you are on that journey. Why are you appealing?

Busch: it probably took us 6 months to get insurance to do something. We've been doing the work with Ryan diligently since then. He thinks he's been very diligent in speaking to the fire inspector. My understanding is the permits have been mostly, if not all closed out. There is one overall inspection that may be happening today. It is ready for occupancy in my view.

Moermond: and typically, you would be in the Vacant Building program that time. He was outside of his authority in delaying that referral to the Vacant Building program. But that is to your benefit. I do see finalized electric and plumbing. Building isn't done yet. Any HVAC or mechanical done?

Ferris: after speaking with Virgil Thomas, he said everything looked good and he was going to come out Thursday and final the final permit. When he walked in he called in the Taj Mahal. Thought everything looked fantastic. He had some framing questions that were outside the scope of work we did. We did no framing work. I think he would have finalized it then, but he wanted to look into it. I called him back and rescheduled and said this Thursday would be the soonest. I know they're swamped. We had a great conversation. It looks great, just a few things outside the scope and they're done now.

Moermond: it sounds like you are super close.

Ferris: I talked to Jack about this, one of the things I was hurt by was the reference to delayed or no response which is why he was pushing it to Vacant Buildings. I sent him an email with time-frames a week before. He wanted the plumbing done 5/5 and it was done before that. The electrician got the door code backwards so he couldn't get in to finalize the inspection, they cleared that up and he went back out there quick. I told

Jack this, so when he pushed it through May 12. I told him its 8 months. I think we did this pretty quickly.

Moermond: I'll recommend a 90-day waiver is in place on this.

Referred to the City Council due back on 6/21/2023

**26 RLH VBR
23-30**

Appeal of Lee Yan to a Vacant Building Registration Renewal Notice at 1540 MINNEHAHA AVENUE EAST.

Sponsors: Prince

Deny the appeal of the VB registration renewal.

Lee Yan, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: this was made a Category 2 Vacant Building June 8, 2022 per a referral from Code Enforcement via a condemnation from Fire Inspection. October 10, 2022 the home was found to be open to trespass. Windows were open. Those were ordered secured. January 25, 2023 a Code Compliance inspection was paid for but to date has not been performed. I believe we are here to discuss the pending Vacant Building renewal fee of 4918.

Moermond: why are you appealing Mr. Yan?

Yan: I represent the owner. I am the property manager. It got condemned because of a sewage backup. The tenant reported it to the City. We moved the tenant and had a plumber repair the problem. We were committed to doing the entire house, had a contractor engaged except he quit 2 months in saying he was no longer in the business. We had to start looking for a new contractor. It is hard to find one. Right now, we do have a new contractor engaged. They called the City and are setting up a second walkthrough to get the scope. We're hoping you can look on us kindly. We paid the fee to get it started.

Moermond: why didn't you put a lockbox on so inspectors have access? That is clear in the Code Compliance Inspection application.

Yan: the ownership changed again, that was the problem. We're still managing. We're at the mercy of the owners. The previous owners sold after the contractor quit. They are making strides to get things corrected. We're pushing every day and checking in.

Moermond: what are you looking for today?

Yan: can you give us 30 days to have a plan, and get the fee waived or the reduced.

Moermond: on virtue of developing a plan you want a reduction in the fee?

Yan: no, starting the work.

Moermond: you don't have the Code Compliance inspection done yet.

Yan: we're calling them this week.

Moermond: it takes 2 or 3 weeks to get Code Compliance inspections done.

Yan: and then we'll get started right away.

Moermond: when will you have the work done.

Yan: it all depends. I don't know what the list will look like, it depends on the list. The new owner is very motivated.

Moermond: and Ramsey County has the last transaction in 2021.

Yan: they have renovated 3 properties, they own 12. They're doing them one by one.

Moermond: you are saying you are going to do these things and they haven't happened. It makes it harder for me to recommend a waiver of the Vacant Building fee. The council could look at things differently. The fact the ball was dropped on the Code Compliance Inspection and it has been a year with no movement. I'm not inclined to recommend a waiver.

Yan: it has been a hard year with staffing and everything. Some sort of conditional waiver would be appreciated

Moermond: the finish line is a Code Compliance certificate being issued. I'm going to recommend the Council deny your appeal. We will send this to Council June 21.

Referred to the City Council due back on 6/21/2023

**27 RLH VBR
23-26**

Appeal of Carolyn Brown and Shai Leibovich to a Vacant Building Registration Fee Warning Letter at 713 PREBLE STREET.

Sponsors: Prince

Waive VB fee for 90 days (to June 30, 2023).

Shai Leibovich, BPH Homes, appeared via phone

Voice mail for Carolyn Brown left at 2:40 pm: this is Marcia Moermond from St. Paul City Council calling you about the appeal for Vacant Building registration at 713 Preble. You listed the appellant as Mr. Shai Leibovich who is on the phone. We will proceed.

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this started out with the appointment letter being sent Nov 28, 2022. No entry on December 29. No entry in January. We have not been able to get into the property until March 2, 2023 and it has quite a list of deficiencies. Some of the big ones are no electricity, no water, quite a bit of deferred maintenance. A lot of missing screens, handrails, lacking smoke alarms. Stair issues on the exterior. Peeling paint. Windows with glass shards. A multitude of items that resulted in 68 code violations between the 2 units.

Moermond: why are you appealing today?

Leibovich: I'm happy we haven't spoken for a long time. We own both this and 707. We've had a lot of squatters. We have called the police many times. We had to turn

down the heat, water, and electric to stop them, even though we boarded it. 707 we just passed the final inspection and sold it 3 weeks ago. It was a Category 2 Vacant Building. Our plan was to start renovating as soon as we are done with that. We have teams ready to move, we will be done in six months.

Moermond: so, you have people ready to address this fire report, and that's what you want to do?

Leibovich: yes.

Moermond: when I look at this list of items I see a variety of trades involved. I bring that up because the broader the violations the better candidate it is for a Code Compliance Inspection report. That would weigh in you staying in the Vacant Building program.

Staff report by Supervisor Matt Dornfeld: this was made a Category 2 Vacant Building March 30, 2023 per that revocation referral. It was vacant and secure at that time. Hoffman did issue a Summary Abatement Order for trash. He followed up April 6, 2023 and it was found to be open to trespass and thus he and the St. Paul Police Department ordered an emergency work order to secure it and to clean up the yard. To date it is my understanding the property has been nuisance free.

Moermond: this went into the program March 30, 2023. It hasn't been occupied for a matter of months. I think this is a good candidate from the Vacant Building program and would benefit from a Code Compliance Inspection Report. In terms of the Vacant Building fee, in the normal course of events I'd be looking at 90-day waiver, which I am happy to do, but that starts March 30, so June 30th. Not long from now to get it back online. I'll ask that they allow that Code Compliance Inspection application be allowed and permits be pulled. I'm happy to discuss proration of the fee. Your next stop is City Council. I'll give the waiver but it isn't that long.

Referred to the City Council due back on 6/21/2023

28 [RLH VBR 23-24](#) Appeal of Ted Ries to a Vacant Building Registration Notice at 1018 WILSON AVENUE.

Sponsors: Prince

Layover to LH June 20, 2023 at 1 pm for further discussion and update of findings after eviction.

Ted Ries, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: the revocation of the Fire Certificate of Occupancy. Inspection was done by James Thomas back in October of 2022. Found quite a heavy list of items. Hoarding conditions. We have not been able to enter the property since that inspection, with numerous appointment letters. This resulted in the Fire Certificate of Occupancy being revoked for long-term noncompliance.

Moermond: the orders back in October had the basement content needed to be reduced by 90%, and the entire house by 75%. That is pretty substantial, but he didn't write an order to vacate. He was giving some grace, which is unexpected given how big

those numbers are.

Shaff: correct.

Moermond: and he wasn't able to get back in but waited quite a while before it was revoked.

Shaff: correct, yes.

Staff report by Supervisor Matt Dornfeld: we made a Category 2 Vacant Building May 9, 2023 per the Certificate of Occupancy revocation referral. It was deemed occupied at time of inspection. Vehicles in driveway, house obviously occupied. I did speak with the property owner at the office and advised him on what a Category 2 Vacant Building is and to file an appeal. I also dealt with the occupant via a text message. They stated they wanted information and they knew it went into the Vacant Building program and wanted to know what they needed to do to bring the house into compliance. I explained what a Category 2 Vacant Building was and that they too have the right to appeal.

Moermond: the order from Fire went out April 11 and the window for appealing would have still been in April, and we're in June so now we're just talking about the Vacant Building program piece. Heavy content is the main thing and we don't know building conditions under that content. Mr. Ries, you have a situation. What is going on?

Ries: this house has always had a problem with clutter. I begged them to take stuff out. More time and more time. I eventually evicted them. the tenant is now in there by herself. She is a single mother. I was trying to give her as much grace as I could. I haven't been collecting rent. I've just been trying to get them out without evicting. I finally did. They wouldn't leave after the eviction. June 12 the sheriff is supposed to come throw them out. I'm trying to do the right thing and give them as much time as I can. I don't want you to think I've been renting this substandard house full of stuff. I couldn't get them out and I can't get them to pay rent. I did evict them. I was hoping you would give me some leniency just because---I'm trying to do the right thing and obviously this is no way to have a rental house. I know that. I don't want the clutter in there. Personally, we also had a house fire, so things have been hectic over here too. We had a big fire in December and our mail has been screwed up. It has been stressful. I'll get dumpsters out there June 12 and the house will be empty.

Moermond: one thing crossing my mind before you said dumpsters is the idea you need to hold a tenant's possessions for 28 days. I was trying to figure out that length of time and how that fits with our staff looking at the conditions underneath the stuff. Sometimes things are removed and it's a small list and sometimes it was such a large load that there are problems that have developed. I think you may benefit by some time on this. June 12 is only next week.

Ries: I've never had to go this far with it. I'll do what I have to do legally.

Moermond: right and I can't give legal advice. Let's put a pin in this for 2 weeks to see how that eviction goes and talking again then. Mr. Dornfeld, what happens if it is not vacated?

Dornfeld: under our current process we'd start issuing Excessive Consumption fines. About \$170 fine for allowing the illegal occupancy. In a previous time, we would attempt to force vacate and board the structure, but we haven't been doing that.

Ries: you don't have to teach me a lesson, I don't want them there. It is already costing me money. They don't care about fines. I was hoping you could not charge me if you believe my story.

Moermond: I do believe you. I know these things are complicated. And I'm trying to carve through City code and your circumstances and the best possible solution for you and that results in safe and decent housing. My experience with hoarded houses is you don't know what is underneath because you can't see it. It is only to your benefit to have those things removed. Getting inspector eyeballs on it may mean it isn't condemned. Or maybe a minimal list of items to be done, so I can more easily work with a waiver for you to get it back online. That's where my head is at.

Laid Over to the Legislative Hearings due back on 6/20/2023