



Minutes - Final

Legislative Hearings

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Tuesday, September 19, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

8:30 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 23-307** Ratifying the Appealed Special Tax Assessment for property at 746 MONTANA AVENUE EAST. (File No. J2324A2, Assessment No. 238541) (Public hearing continued to June 5, 2024)

Sponsors: Brendmoen

Continue PH to June 5, 2024. If no same or similar violations, reduce assessment from \$506 to \$253. If approved in full, make payable over 5 years. If reduced, make payable over 3 years.

Merry Maung, owner, appeared via phone
Karen interpreter appeared in person

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: a Summary Abatement Order was issued April 12, 2023 for the removal of some fencing, totes, and miscellaneous debris from rear of property by the garage. It was reinspected April 19 and the items had not been removed. A word order was sent and the cost of the cleanup was a total assessment of \$506.

Maung: they only cleaned up one TV, the rest I cleaned up so why do I have to pay \$500?

Moermond: I've asked staff to pull up the video of the cleanup since it has been a couple of weeks since I have viewed it. I'll be looking to see if the items there when the crew arrived are the ones listed in the April 12 order.

[videos of cleanup were reviewed]

Moermond: after reviewing the video, which I know Mai Vang emailed to you, the items listed in the orders were still there when the crew showed up. I didn't see a TV listed in the orders, nor one there when the crew showed up. I'm wondering what happened when you got these orders and what action you took?

Maung: they only took one TV and the scrap beside the fence, I put it up because I was planting plants.

Moermond: again, I didn't see a TV in the video or the orders. Are we thinking about the same time period? This is for the middle of April of this year.

Maung: I have a lot of scrap beside the fence. They didn't take anything, just the TV. I have toys in the backyard and they didn't even take anything.

Moermond: did you watch the video sent by Mai Vang?

Maung: I did not look at the email, I only have a paper that said the scrap beside the fence.

Moermond: are there any other orders on the property Mr. Kedrowski? This order talks about fencing, totes and miscellaneous debris and I see a large section of fence, 6x8 feet long section and lattice by the driveway, and a couple of plastic totes with lattice and other things in them. Is it possible the TV set she is referring to was underneath the large piece of fencing?

Kedrowski: it is possible, but had that been there that is covered in the boilerplate language. I do see a complaint from April 27 there was a complaint for overflowing trash by the bins and a TV next to it.

Moermond: so there was a complaint the week before that was resolved?

Kedrowski: I believe it was the same complaint but the inspector wrote up what he saw.

Maung: you were probably seeing the trash bags because I cleaned up my leaves and put in trash bags.

Moermond: I'm not seeing anything from April 7, except for a complaint coming in that day?

Kedrowski: that is correct, that was the original complaint but the inspector went out and didn't find those, but found other violations.

Moermond: ah, ok, so it was the fencing, totes and debris in the original order?

Kedrowski: correct.

Maung: is there any way to reduce this fee?

Moermond: when considering that request I am first wondering, how long have you owned the property?

Maung: seven years.

Moermond: it looks like there have been five occasions in the last four years where the City has written orders to maintain the property. They're pretty much all garbage or tall grass related. Do you read English or have someone to help you look at the letters that come from the City?

Maung: I don't know how to read English, so I have a hard time finding people to read the mail for me.

Moermond: your daughter called last week; can she help you find the phone number

on these orders?

Maung: my daughter goes to school, but when she reads a letter for me she can read English but cannot interpret it for me.

Moermond: there is a number on the orders to call in case you need them translated, it is the upper right-hand side of the letter. It is 651-266-8989. If you get letters like this you can call and they can get them into Karen for you, or whatever your preferred situation is. Do you have email?

Mai Vang: I believe we have the daughter's email. merryehry@gmail.com

Maung: that is my email, but I didn't see any emails coming to me.

Mai Vang: each time I have emailed, they have been responsive to the emails.

Maung: what is your name so I can look it up? The only emails I see are from Health Partners.

Mai Vang: the first email came from legislativehearings@ci.stpaul.mn.us September 2 at 3:03 p.m. That included the video.

Maung: I only see one from September 1 and 2.

Mai Vang: you responded and said to call your daughter because you have a new job.

Moermond: I'm guessing that because you don't read English you aren't the one who typed that response?

Maung: my other daughter typed it for me.

Moermond: here's the thing, we need to have you figure out a way to find out what the orders say when they come in the mail. They do have a photo in them of what the inspector is looking to have cleaned up.

Maung: ok.

Moermond: this is the third time there's a tax assessment going to you because of this type of order, and that is starting to cost you money. Getting the letter translated is a \$500 question right now. As an incentive for you to maintain the property and use this tax as a way to do that. I'm going to do my recommendation to the City Council in two parts. The first is recommending they make the assessment payable over 5 years. The other piece is I would like to check your property again—

Maung: yesterday I received a letter saying I have to pay \$195 from the City. Can you check what that is for?

Moermond: while we check that, I will say that I'd like the Council to continue their discussion to June 5, 2024 and if there haven't been any orders to maintain your property I'll recommend they reduce this by half.

Maung: ok.

Moermond: I'll ask them to do this on October 4, when we put your case in front of them. You're welcome to speak objecting to that recommendation and we can get an

interpreter if we know you are coming.

Maung: I'd like to do whatever the City said to clean up everything, however I work every day. Everyone else in the house are children.

Moermond: I'm looking for the lawn to be mowed, snow shoveled, and no piece of garbage or junk in the yard like broken fencing and totes, things like that. They should be properly disposed of or stored. If you take care of those things, this assessment will be cut in half. I'm thinking kids can help with that kind of basic chore. We also checked on the bill you asked about.

Mai Vang: I see two delinquent garbage bills, one was levied in May, and then a pending bill scheduled for October 5.

Maung: I'm going to pay, but I want to know the reason before I do. I have been paying my trash bill. The \$500 seems too high for me to pay, but if you want me too I will.

Moermond: do you understand I'm asking the Council to continue this case to June 2024 when I will ask them to decide if there have been violations and if we can cut it in half at that time? Then I will ask them to either reduce assessment from \$506 to \$253 or approve it in full. If approved in full, I will ask them to make it payable over 5 years. If reduced, make payable over 3 years.

An additional note that in your garbage bill, a couple of extra-large pieces are included as part of your service. You've already paid for that. About the bill you just received, there is one bill already approved to be put on your taxes for next year. The second one is scheduled for hearing with me October 4 if you want to appeal that. if you do, we can investigate with what happened with the payments.

Maung: yes, for the garbage bill I have been late paying, I can pay that. Can you give me some time to pay the \$500. For the backyard, my mom is planting vegetables so sometimes it may be messy.

Moermond: many people have gardens, but I'm looking at garbage bags, huge piece of fencing, the totes. Those aren't regular gardening type things.

Maung: I called the garbage company to come pick up all the other things already.

Moermond: any other questions?

Maung: can I still park my RV in the back?

Kedrowski: it has to be parked on an approved surface, which is the driveway in front of the garage door. That's the only acceptable location at this time.

Maung: I don't park in front of my garage, it is on my property. It isn't on the street or the alleyway.

Moermond: it has to be parked on a cement or asphalt surface. It can be in the lawn, yard, or garden.

Maung: I park it on my parking lot, it also has cement. It isn't on the lawn.

Kedrowski: the aerial view shows two driveways at the back of the property that are paved. The one to the east would be acceptable for parking.

Maung: ok.

Referred to the City Council due back on 10/4/2023

9:00 a.m. Hearings

Special Tax Assessments

- 2 **RLH TA 23-321** Ratifying the Appealed Special Tax Assessment for property at 947 MINNEHAHA AVENUE EAST. (File No. VB2311, Assessment No. 238814)

Sponsors: Yang

Reduce assessment from \$2,616 to \$1,308.

Michael Buelow, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this property entered the Vacant Building program March 3 after the Certificate of Occupancy was revoked. It exited the program September 14, upon reinstatement of that Certificate of Occupancy. Total assessment of \$2,616. There were two Summary Abatement Orders and cleanups done during the time in the Vacant Building program.

Moermond: what are you looking for today?

Buelow: I didn't receive any abatement orders. Was that for trash?

Yannarely: yes.

Buelow: I started with a new management company, about 22 apartment buildings, 20 duplexes, a couple of houses. They were negligent in meeting with the Fire Inspector. Stood them up 4 or 5 times I wasn't aware of. I was also fined each time. I think he just decided if he can't access it, I will mark it as vacant. My expectation was that we met his concerns for the Certificate of Occupancy and my expectation is we are back on track if we get future notices. As I have in the past.

Moermond: your Certificate of Occupancy was reinstated September 14, so it could be the mail hasn't tracked you down yet. You do have it now, which makes my calculation that you spent six months in the Vacant Building program, March 3 through September 14.

Buelow: as a property owner I pay fees for all kinds of abuse and trash by tenants. Perpetually. I try to keep up but its daunting. Every time it happens I get fines. \$600 here. \$400 there. Affordable housing. Even though the City wants to tax me \$2,000 a unit in taxes, but I don't want to digress. The property was always up to standards of Certificate of Occupancy but because we failed numerous times to meet with the Inspector he went to the position of making it a Vacant Building, but it was never outside of being occupied.

Moermond: it went in as a Category 1 Vacant Building which does indicate it was ready for occupancy, but obviously a Certificate of Occupancy is required for a

non-owner occupant. That referral to the Vacant Building program was appealable. It was not appealed.

Buelow: I never received that, like the others. But go ahead.

Moermond: are you at 755 Selby Avenue Unit A? That is the address that Ramsey County has for you.

Buelow: that was a property manager 2 years ago.

Moermond: that isn't on the City.

Buelow: I was under the impression I had corrected that. I filled out a form.

Mai Vang: when we had the conversation to appeal I sent those.

Moermond: so that just happened recently. You may want to check with Ramsey County for all your properties. The Fire Certificate of Occupancy program has a new address as of April 2023 for Granite City real estate.

Buelow: and they are no longer my property manager either. I've started my own and taken over.

Moermond: so those forms you got from Ms. Vang, take care of those for all your properties.

Buelow: I don't think I received those.

Mai Vang: when you called to appeal I gave you the numbers to call Ramsey County and whoever the Fire Inspector was, and I emailed them to you. I can send them again.

Moermond: you were in the Vacant Building program for half of the year. I'll recommend the Council prorate the Vacant Building fee. The notice issue I think is on you rather than the City. If you want to talk to the Council about it, that is fine. The Council Public Hearing is October 11.

Referred to the City Council due back on 10/11/2023

3 RLH TA 23-312 Ratifying the Appealed Special Tax Assessment for property at 443 JOHNSON PARKWAY. (File No. J2402A, Assessment No. 248501)

Sponsors: Prince

Delete the assessment.

Ed Braznan, owner, appeared via phone

Moermond: we're calling you about your appealed special tax assessment for 443 Johnson Parkway. When staff was reviewing materials for today's hearing they said this one should be deleted because the items removed from the driveway were not the same as the original orders. That is where we will land with this. This goes to Council January 3, 2024. No invoice will be forthcoming from the City; however it will continue to show as a pending assessment until that Council vote.

Braznan: perfect, yes ma'am. That was my entire argument. We had two Bagsters.

Moermond: and there was the two different Bagster issues, but Mr. Kedrowski also indicated there was an error in sending another Summary Abatement Order confirming a requested extension.

Referred to the City Council due back on 1/3/2024

4 RLH TA 23-329 Ratifying the Appealed Special Tax Assessment for property at 870 ALBERT STREET NORTH. (File No. J2402A, Assessment No. 248501)

Sponsors: Jalali

Reduce assessment from \$488 to \$450.

*Rene Isuk, co-owner, appeared via phone
Jeff Pittelkow, co-owner, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: a Summary Abatement Order was sent to the property on June 12, 2023 to remove and dispose of the box spring from the boulevard and miscellaneous debris from behind the bins. Rechecked June 22, the only thing changed was that the box spring was moved up to by the garage.

Pittelkow: we weren't getting the notices, first and foremost. Garret Management Group wasn't forwarding things like this onto us, which wasn't good, obviously. We never got notice until we got the fine. We would have taken care of it. We did remove the mattress though; I took care of it myself. The neighbors next door like to prop things up against that shed thing there and we frequently have to throw things away from there as well. I know there's a rolling cart and car jack there. I have to approach them about if they want it or I can get rid of it. I won't deny that. The stuff behind the cans, the majority is from the neighbors.

Isuk: we didn't receive any notices until we got the fine. We had an issue with the water and trash in St. Paul and we didn't get notice for a year because it was going to the former owner. All of this was new to us. The second thing as far as trash, we have issues with the neighbors putting things on the property. The former owner wasn't taking care of it. We've since renovated it completely on the outside. Part of the junk was part of that renovation from inside and out. As of the end of July that property has had a complete facelift. We were trying to improve the property so it wasn't an eyesore.

Moermond: who is 870 Albert St, LLC in Eden Prairie?

Isuk: that is our group. Three partners, we are two of them.

Moermond: the notice went to that address as well as Garnett Management Group as well as Daniel Stoltz in Stillwater.

Isuk: that address changed as of August of last year.

Pittelkow: I saw the mattress on the order and went and took care of it.

Moermond: what about the other stuff?

Pittelkow: I may have missed some of it. I apologize for that. I know I did the mattress. How do I update that address for the Eden Prairie thing?

Moermond: you'd reach out to Ramsey County taxation. That's who the City is legally obligated to notify. I just watched the video and I have to say there was a fair bit that got removed from the property, around the shed. There was a box spring up there. Did you watch the video?

Isuk: I did.

Pittelkow: I didn't. The south side of the shed by the tree is where the neighbors throw their junk. The stuff by the door in the photo may be ours, but we do typically pick it up.

Moermond: I see a laundry basket, bucket, box spring, and cardboard boxes.

Isuk: the box spring was from the prior tenant. I left town on the 7th of June, that was from the tenant. The tenant had already left, so the laundry basket was probably from the neighbors. Bucket was probably ours. The rest was probably not ours.

Pittelkow: and that's the box spring on the corner.

Moermond: what are you looking for today?

Isuk: looking for some grace since we new there were issues, we remodeled, and it was something that slipped on our side. We've talked to the neighbors and just looking for some grace and if there's a way to cut it in half. We just wanted to state our case and apologize at the same time.

Moermond: it doesn't matter who made the mess, it is on your property and you're the one who needs to deal with it. If I were to give you credit for the box spring, fine, I will tell you the only additional fee occurred was \$10. That won't give you much relief here.

Pittelkow: part of it may be that we knew a dumpster was coming too. We did new siding and windows, so we weren't in a big hurry to clean up because we knew we could throw things in the dumpster.

Moermond: you went and took care of the mattress on the boulevard because you were aware of the issue and orders. I'm struggling to find grace in this. The orders previously on this property was prior to your ownership, which is in your favor. You acquired in July 2022 and the previous orders were in 2020 and 2021. I would be willing to look at a modicum of grace on this, the City did the work. I'll get you down to \$450. The Council may look at it differently; I wish I saw my way to a reduction on this. I understand the neighbor situation on this. We all have things that happen at our property and it is difficult. Credit for removal of the box spring.

Pittelkow: we'll pay this, we do want to apologize. It isn't how we run our business. If you get a chance, look at the before and after photos and see how much better it looks.

Referred to the City Council due back on 1/3/2024

5 RLH TA 23-310 Ratifying the Appealed Special Tax Assessment for property at 724 VIRGINIA STREET. (File No. J2401A, Assessment No. 248500)

Sponsors: Balenger

Delete the assessment.

No one appeared

Moermond: the note on the file says the appellant bought the property May 5, and the orders went 10 days later but the computer system hadn't caught up with who the current owner was. Orders went to the previous owner, so the current owner didn't have the ability to act. I'll recommend this is deleted.

Referred to the City Council due back on 1/3/2024

10:00 a.m. Hearings

Special Tax Assessments

- 6 **RLH TA 23-323** Deleting the Appealed Special Tax Assessment for property at 1549 DALE STREET NORTH. (File No. J2310E2, Assessment No. 238329)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: we have a record that you are asking for deletion?

Supervisor Kedrowski: Inspector Warner didn't include photos of the sidewalk at time of his initial inspection to send the work order, so we have nothing to back up the fact they weren't in compliance.

Referred to the City Council due back on 10/4/2023

- 7 **RLH TA 23-313** Ratifying the Appealed Special Tax Assessment for property at 1814 PINEHURST AVENUE. (File No. J2402A, Assessment No. 248501)

Sponsors: Tolbert

Delete the assessment.

No one appeared

Moermond: this is a deletion, what is going on with this one?

Supervisor Kedrowski: inspector McCullough never processed the Summary Abatement Order. Another retraining moment.

Referred to the City Council due back on 1/3/2024

- 8 [RLH TA 23-316](#) Ratifying the Appealed Special Tax Assessment for property at 116 SYCAMORE STREET EAST. (File No. J2402A, Assessment No. 248501)

Sponsors: Brendmoen

Layover to LH October 3, 2023 at 10 am (requested by PO).

Yonas Behre, owner, appeared via phone

Behre: they said they would call and tell me; I didn't know about today's hearing.

Moermond: do you need a couple of weeks to review things?

Behre: yes.

Moermond: Mai Vang sent you a video September 8, it does expire, so make sure you view it soon. I'll put you on the October 3 agenda, between 10 and 11:30 am.

Laid Over to the Legislative Hearings due back on 10/3/2023

- 9 RLH TA 23-320** Ratifying the Appealed Special Tax Assessment for property at 615 UNIVERSITY AVENUE WEST. (File No. J2307P, Assessment No. 238406)

Sponsors: Balenger

Delete the assessment (waiver on file).

No one appeared

Moermond: this has a waiver on file?

Supervisor Kedrowski: it is under 599 University since it is in the same complex.

Referred to the City Council due back on 10/11/2023

Special Tax Assessments-ROLLS

- 10 RLH AR 23-80** Ratifying the assessments for Property Clean Up services during June 1 to 6, 2023. (File No. J2401A, Assessment No. 248500)

Sponsors: Brendmoen

Referred to the City Council due back on 1/3/2024

- 11 RLH AR 23-81** Ratifying the assessments for Property Clean Up services during June 7 to 30, 2023. (File No. J2402A, Assessment No. 248501)

Sponsors: Brendmoen

Referred to the City Council due back on 1/3/2024

- 12 RLH AR 23-82** Ratifying the assessments for Equipment and Labor for Clean Up services during June 2023. (File No. J2403A, Assessment No. 248502)

Sponsors: Brendmoen

Referred to the City Council due back on 1/3/2024

11:00 a.m. Hearings

Correction Orders

13 [RLH CO 23-12](#) Appeal of Peyton Hurst to a Correction Notice at 823 ENGLEWOOD AVENUE.

Sponsors: Balenger

Layover to LH October 3, 2023 at 11 am for further discussion.

Peyton Hurst, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Richard Kedrowski: August 14, 2023 a Correction Notice was sent to Mr. Hurst for the property, saying the City's records show this is a single-family home and being operating as a triplex. Asking to de-convert and bring back to a single-family dwelling.

Moermond: when I looked this property up in our system, it hinged on the fact it was rezoned in 2019 to go from a single-family home to a triplex. That is one piece of it, the other is to convert it under the building code to meet the triplex requirements. When I see permits listed here, I read into that, even though the zoning was changed the building wasn't converted under permit to be a triplex. While it may have been brought to standards, there were no permits and no inspections to confirm that it was properly done?

Kedrowski: correct.

Moermond: so we don't know if new walls are fire rated, those types of things.

Hurst: when you walk in there is a small vestibule that goes upstairs, and into the first floor where I live. Dan was caught off guard when he saw that work done.

Moermond: I think that is an accurate assessment. Looking at the permit history on this there appeared to be a plumbing permit pulled to do 3 bathrooms and 3 kitchens, an electrical permit was pulled that doesn't list anything beyond 'updates'. It doesn't say for triplex under electrical code.

Hurst: I think they brought in 200 amp service. The circuit breaker is in a room in the basement that everyone has access too. I expect they just increased the amperage. I don't know that though, unfortunately.

Moermond: we have a warm air permit with a note—

Hurst: there was an issue with the exhaust, the chimney, he had to put metal in so the carbon monoxide didn't leak out.

Moermond: a flue vent.

Hurst: for transparency, I have MSP coming Thursday to replace the old boiler and put in a high efficiency boiler, which will give me a thermostat in both floor one and 2.

Moermond: are there three units or two?

Hurst: I have folks living in the second floor now. I live in the first floor. The basement

isn't occupied. In an ideal world I'd love to rent all three, I need it to be a two unit to keep living here. It is too much space for just me and my dog.

Moermond: I don't know what was done to make that second unit happen. I don't know who did it. You're in the same boat. It looks like from the City's side there was a building permit application in 2020 from Nova Homes and they were going to do the conversion to the triplex, it was a \$25,000 estimate for the work. That included egress windows in the basement and the fire separations. They were asked for additional information from the City as part of the application process, which is normal, but for whatever reason they didn't provide that additional information and instead withdrew the application for the building permit. That could have been because the owner didn't have the information to give them; we don't know why, but it was. Something happened between that application was done and when you bought it.

We're trying to figure out what to do with that and I'm thinking you need someone with some credential to look at the property and evaluate what needs to happen to make it a legal duplex or triplex. It could be they could test or open some walls to figure out what needs to be done and then an application can be made to do or certify the work already done. I think we need to start with where we are at now, that would be with you finding someone to look it over. Architects do this type of work; I also know there are contractors out there who do this. We would call this a code analysis. The contractor needs to show what changes are necessary to get from being a single-family home to a triplex and then apply to do those things.

Hurst: a third-party contractor comes to tell me what meets your code? Instead of having somebody from the City tell me what I need to do?

Moermond: it would be part of a building permit application; the City is not going to come and take apart the walls and try and sort out what was done by someone. We know it was a single-family home and now it is being used as a duplex but we don't know what changes are made and the City isn't in the business of dissecting that. A building permit needs to be pulled for what work was done and sorting out what that looks like

I think this is a doable thing. I'd like to connect you with any loans or grants the City may have to help offset any costs. I don't want to bring a hammer down on this one. I don't see a reason to immediately vacate this space. I'd like to keep you there, your tenant there, make it code compliant. It could be someone did the work properly and simply didn't do it with a permit. Who is going to make that determination? That's someone willing to pull the permit and put their name on the work, or part of it and note the other parts need to be redone.

Hurst: do you have anyone who may be able to do this?

Moermond: ethically I cannot say even if I did. I can get you information from the City's housing folks. Let's talk again October 10th, does that work?

Hurst: I have someone in town, could we do it the week before or after?

Moermond: we can do that October 3, no problem. We'll have Planning and Economic Development contact information and if we can identify any community development information as well, we'll get that to you.

Hurst: wait for the letter, call the housing folks who will be prepped on my predicament. Should I start reaching out to third party contractors?

Moermond: that is up to you. I'd say why not? They may give you information that may help you.

Laid Over to the Legislative Hearings due back on 10/3/2023