



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

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Tuesday, November 14, 2023

9:00 AM

Room 330 City Hall & Court House/Remote

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1 [RLH RR 23-57](#) Ordering the rehabilitation or razing and removal of the structures at 1971 NORTONIA AVENUE within fifteen (15) days after the December 20, 2023, City Council Public Hearing.

**Sponsors:** Prince

*PO to 1) submit copy of mortgage(s); 2) pay back taxes; 3) submit signed bids specifically noting all items in CCIR will be addressed.*

*Lenny Frolov, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: The building is a one and one-half story, wood frame, duplex with detached one-stall garage on a lot of 5,140 square feet. The Fire C of O was revoked on October 14, 2019, and the property was referred to Vacant Buildings; files were opened on November 22, 2019. The current property owner is now listed as Robert J Travers/Ivana Travers per Amanda and Ramsey County Property records. At the time of the Public Hearing Notice, the owner was listed at Hendrie Grant Lending VII Inc. A Mortgage dated April 6, 2022, was filed with Ramsey County Property Records on September 18, 2023, and the title to the property was changed. Neither a warranty deed nor contract for deed has been filed with Ramsey County indicating a sale of the property as of today's date.*

*On August 30, 2023, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on September 6, 2023, with a compliance date of October 6, 2023. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$20,000 on the land and \$282,000 on the building.*

*Real estate taxes for 2023 have not been paid and are due and owing in the amount of \$10,795.38 which includes penalty and interest. The vacant building registration fees were paid by assessment on January 3, 2023. A Code Compliance Inspection was*

done on June 6, 2023. The \$5,000 performance deposit was posted on November 9, 2023. There have been eleven Summary Abatement Notices since 2019. There have been seven work orders issued for: garbage/rubbish, tall grass/weeds and snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$30,000. The estimated cost to demolish exceeds \$50,000.

Moermond: I assume you knew most of that information already?

Frolov: yes.

Moermond: and you have a copy of the notice of hearing and all that stuff?

Frolov: yes.

Moermond: Mr. Yannarely, our office received an email from Vicki Sheffer indicating the mortgage from April 6 didn't get recorded until September 18, there is a 16-month gap. Unpaid taxes. Tell me about that.

Yannarely: I really can't.

Moermond: do we have an address for the Travers?

Yannarely: and ownership and encumbrance (O & E) report.

Moermond: this was run September 5. Two months old. Limited value considering the change. It also lists Bowen Companies LLC as a party to the Contract for Deed. The reason I'm dwelling has to do with proper legal notification of the hearing process and me making sure parties who needed to be notified have been. Clearly there's a timing issue where we have a transfer in the recent past. I'm thinking you have more information. Who owns this property?

Frolov: absolutely I do. I leant Henrie Grant funds in 2020 to embark on this project. Granted a mortgage that was never recorded. He sold on a contract for deed to another investor. I wasn't in the know. October 30 Henrie Grant notified me he was insolvent. He can no longer do anything, not willing to make any repairs. I got blindsided by it. He offered to deed it to me, and subsequently found out that Robert Travers also had a mortgage. Now there are 2 lenders. Him and I spoke and decided I would spearhead to get it sold and recoup our money. So, owners are myself, as an LLC and Robert and Ivana as joint tenants.

Moermond: I assume they leant the money because the original mortgage wasn't recorded?

Frolov: yes.

Moermond: and that's kind of on you.

Frolov: yes. My loan was 2020. His was 2021. His got recorded in September.

Moermond: I don't know it did.

Frolov: I had an O & E run when I first found out. I thought I heard you mention it.

Moermond: I got an email from November 13, yesterday, that this Travers mortgage

existed. We heard it was in existence, and it wasn't in our paperwork and they didn't receive proper legal notification of today.

Frolov: you are correct, but they are well aware of it.

Moermond: have you provided my team with those mortgages? I ask because its evidence of ownership interest prior to the City's. If it was after any grant of time it would be highly scrutinized because of the late transfer.

Frolov: I certainly can.

Moermond: and we'll look for theirs as well. My office, or perhaps more appropriately, Department of Safety & Inspections should provide official notice of Public Hearing to the Travers folks. I appreciate you saying they know, but we need them to officially receive notification because the implications are expensive. I'll start the conversation with you today and you can get the ball rolling about expectations and I will continue the hearing so they have the legal notice officially.

Frolov: would that also mean work couldn't commence until that date?

Moermond: yes. Notice was sent October 13, a month in advance of today's hearing. I'll look to have that notice done for a hearing December 12th. December 20th is the Council Public Hearing.

Frolov: and that's the earliest date things can commence?

Moermond: no. We can talk again, and we officially know that you are taking the lead, we'll talk about conditions and you would have heard from Ms. Zimny I believe, about the standard conditions. Once Mr. Yannarely and I agree the conditions have been met, you can begin pulling permits. If you're close to meeting conditions in December I typically ask them to send it back to Legislative Hearing again to give us time to work through it. So, the earliest you could pull permits is December 13th.

All of that being said, the highlights I heard the 2023 taxes haven't been paid. The Code Compliance was done in June, which is good. The Performance Deposit was posted last week, that is also good. The City has had to do some work to maintain the property. We have title issues which exist. I will look for clearing up the title concerns and the outstanding taxes. I assume because he signed his interest over to you all you have documents to support he relinquished his interest.

Frolov: we filed a quit claim deed.

Moermond: and if you can provide that as well, that would be simpler for everyone. Tell me about the rehab.

Frolov: I have contractors, bids, money, I brought it with.

Moermond: I can look at those.

Frolov: I have four bids, and proof of funds from one bank with the affidavit.

Moermond: looks like it goes point by point through the Code Compliance?

Frolov: it has been worked on since June. About 80% of the work has been done.

*Permits are expired. I did get the electrician and HVAC guy who worked on it before. They're back on the project because they can explain what they did. The plumber and General Contractor are new. Its 80% completed from the June orders, by my estimation. The electrician is the one who has the lien on the property for being unpaid.*

*Moermond: my preliminary response is there isn't a schedule attached, the bids aren't signed and we don't have them referencing the Code Compliance Inspection Report, the building folks seem to have, but for the others I would look for clarification there. The schedule, the Council grants 180 days, that's the standard length of time. The money appears to be in excess of what is needed to execute, great. Taxes and title issues to clear up. Bids need to reference the Code Compliance specifically, and a schedule.*

*Frolov: I do have a plan, but I wasn't sure how specific it needed to be.*

*Moermond: the fact it's a whole page leads me to think that's not a concern. This appears to list out everything?*

*Frolov: yes, because I didn't want there to be a discrepancy between the Code Compliance and the items done. 80% of it is done.*

*Moermond: is everyone showing up at the same time?*

*Frolov: pretty much. All the trades are really done. It is really just getting the trades inspected and then the general contractor has the most work.*

*Moermond: you have your head wrapped around this, understand what we're looking for and why. I'm sorry for the delay.*

*Frolov: I was hopeful—*

*Moermond: not on me. But we do need to make sure that base is covered. It isn't going to delay by much. Any questions?*

*Frolov: not necessarily.*

*Moermond: you are welcome to call or email with any questions.*

**Laid Over to the Legislative Hearings due back on 11/28/2023**

**2**      [RLH RR 23-58](#)

Ordering the rehabilitation or razing and removal of the structures at 378 SIMS AVENUE within fifteen (15) days after the December 20, 2023, City Council Public Hearing.

**Sponsors:**      Brendmoen

*Layover to LH December 12, 2023 at 9 am. PO to 1) post \$5,000 PD (done on 11/14/23) and 2) submit Code Compliance Inspection application by no later than COB November 27, 2023.*

*Wesley Hart, owner, appeared*

*Bill Purtell, attorney o/b/o Freedom Mortgage Corp, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: The building is a two story, wood frame, duplex with a detached two-stall garage on a lot of 5,358 square feet. The property was condemned by Fire Certificate of Occupancy on March 9, 2021 due to a fire. Vacant building files were opened on March 10, 2021. The current property owner is Wesley Hart, per Amanda and Ramsey County Property records. On August 23, 2023, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on August 31, 2023, with a compliance date of September 30, 2023. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code.*

*Taxation has placed an estimated market value of \$20,000 on the land and \$80,000 on the building. Real estate taxes are current. The vacant building registration fees were paid by assessment on April 3, 2023. A Code Compliance Inspection was done on December 3, 2021 and has since expired. As of November 13, 2023, the \$5,000 performance deposit has not been posted.*

*There have been twenty Summary Abatement notices since 2021. There have been seventeen work orders issued for: garbage/rubbish, boarding/securing, tall grass/weeds, and snow/ice Code Enforcement Officers estimate the cost to repair this structure exceeds \$60,000. The estimated cost to demolish exceeds \$30,000.*

*Moermond: we have one fire for sure. Looking at the photos I suspect there was a garage fire between then and August of 2023. That changes the complexion from a neighbor perspective. I see the taxes are being paid. There was a Code Compliance but its 2 years old, so something happened to make this a nonstarter. We don't have a Performance Deposit posted. That is a fair number of orders to maintain the property with work orders. Because you are here I assume you haven't walked on the property. Other actions make it look like it. Tell me what is going on.*

*Hart: I occupied in 2016 when we first bought it. I live in Blaine now. I plan to live here once it is done. We've been through a lot of repairs since 2021. Paul Davis Restoration is our contractor. We've been working with insurance. I thought we were just trying to wrap things up to get permits closed out. From talking to the City, we have two open electrical permits and two expired plumbing permits. We were working on getting that completed. I met with the electrician last week, and he's putting together a new estimate to address those issues. I got some of the letters and I know they said the City said they'd fix them, I know I should have, but I just figured I would pay it. I think it looks great. I met with Clint yesterday and he said it is about 70% in his opinion. I'm just hoping to get that taken care of, I don't want it demolished.*

*Yannarely: did Clint mention doing a full walk through?*

*Moermond: we need one. Conditions may have changed since even if permits are finalized it was so long ago. If the things are done and permits are signed off on I would expect scant items on the list. But the Council still has the assurance they are done and crossed off before the vote. I don't want to see preventable mistakes since it is a large amount of money.*

*Hart: I heard the value of the building was \$80,000, but repairs have been more than \$300,000.*

*Moermond: I think they calculate that based on fire and it being uninhabitable right now. It is too your advantage since the taxes are less. Fires take a lot of time, there's*

trauma, they are a big deal. Electrical permits were issued, they've had rough ins. Two warm air permits from February of 2022 that were both finalized. Both the plumbing permits expired, one was pulled December 2022, the other May 2022.

Yannarely: I would imagine if Clint went through it would be minimal, excluding garage and exterior.

Moermond: this goes to Council December 20, 2023. I know you'll have to hustle to get that Code Compliance Inspection Report issued and Performance Deposit posted. That would be enough for me to put a pin in this as needed to complete bids and scope of work. You may well be able to get the Code Compliance done and trades people through. They may have been paid in whole or in part. I will need to know that because that will inform the calculation of how much money is necessary to complete the project. If this is out of the insurance company's pocket, how much is left in your policy to do the rehab and how we figure that out so we know there's enough money. I know since the pandemic a lot of people haven't updated their home insurance policies to reflect the increase of contractor and supply prices. I don't know if that's the circumstance here.

Hart: we are working with State Farm and they've been really good. They did drop us after the two fires, which made it difficult to find insurance.

Moermond: you need to be on top of maintaining the property. It is under a microscope. I'll be looking to see if there have been orders. I want to emphasize that living a couple doors down from a building like this it undermines my confidence in the neighborhood and makes me feel like my property is worth less, perhaps the City doesn't care about what is happening. I want to give you a fair chance, but also need to balance those concerns.

Hart: we got those tenants out, it was a really bad situation. It was a really bad situation, but I plan to live there so hopefully they will be balanced out. There were times I didn't cut the grass or shovel; I have those things in place now. I understood the City would do the work and I'd take the financial hit. But I didn't think about it as hurting me in this situation, just the extra money. I won't let that happen again.

Moermond: that is true from your own financial calculus but it isn't the same for the neighbor who has to call in and monitor your property on your behalf. Having to wait until the grass is long, or the walk is icy, or someone breaks in and I'm scared.

Hart: how do I pay the Performance Deposit?

Moermond: we can email the form to you but Ms. Vang can give you one today, along with the Code Compliance application. Make sure you include the lock box combination. I'm going to continue this to December 12th. I'm hopeful by then you'll have had the Code Compliance report in your hands a week or two to reach out to your contractors and get fresh bids.

Mr. Purtell, do you have any questions or statement for the record? What is your role?

Purtell: standard Freddie Mac residential first mortgage. They're escrowing the taxes and insurance. He's performing well on the loan. I just wanted to listen in since they've dispersed hundreds of thousands in funds. It looks like everyone's working together and he didn't just abscond to a nonextradition country. I'll report back that everything is going well.

*Moermond: we'll copy you on the follow up correspondence.*

**Laid Over to the Legislative Hearings due back on 12/12/2023**

## 10:00 a.m. Hearings

### Making Finding on Nuisance Abatements

- 3 RLH RR 23-60** Second Making finding on the appealed substantial abatement ordered for 1803 IVY AVENUE EAST in Council File RLH RR 23-20.

**Sponsors:** Yang

*The nuisance is abated and the matter resolved.*

*No one appeared*

*Moermond: Code Compliance issued August 15. Abated and resolved.*

**Referred to the City Council due back on 12/6/2023**

- 4 RLH RR 23-59** Second Making finding on the appealed substantial abatement ordered for 1457 THIRD STREET EAST in Council File RLH RR 23-19.

**Sponsors:** Prince

*LH December 5, 2023 to see if CC certificate is issued (CPH December 6). Continue CPH if not issued.*

*Dale Savasten, o/b/o owner Carl Berger, appeared*

*Moermond: I know we've talked before. Your uncle is Carl Berger. You're helping with your wife to get this done. Things are taking a bit longer than anyone wants, but we'll get a staff update first.*

*Staff update by Supervisor Joe Yannarely: numerous active permits and it is being maintained, never any problems.*

*Moermond: no expired permits?*

*Yannarely: one finaled mechanical in July. Everything else is open. Another mechanical finaled in May. Did Clint talk to you about the retaining wall?*

*Savasten: yes, it is all taken care of.*

*Moermond: you had forfeit \$5,000 and posted another \$5,000. 80% complete.*

*Savasten: Clint and I talked yesterday. It is just a countertop. We have a sink to put in and then electrical outlets. Then plumbing and electric can be finaled. Countertop hopefully goes in Friday. The goal is to be done next week.*

*Moermond: because you are so close, you need those inspectors out quickly. I'm inclined to not require a new work plan since you are so close. We'll review your case*

December 5; it has a Council Public Hearing December 6. We'll see where things are at and if you're done, its easy. If you aren't I will ask them to continue it a couple of weeks to get you through it.

**Referred to the City Council due back on 12/6/2023**

## 11:00 a.m. Hearings

### Summary & Vehicle Abatement Orders

#### 5 [RLH SAO 23-45](#) Appeal of Iris J. Logan to a Summary Abatement Order at 1322 SHERBURNE AVENUE.

**Sponsors:** Jalali

Layover to LH November 21, 2023 at 11 am. Current recommendation is to grant to December 22, 2023 for compliance.

Voicemail left at 11:11 am x8605: this is Marcia Moermond from St. Paul City Council calling you about your appeal for your orders at 1322 Sherburne Avenue. We'll try you back in about 5 minutes.

Iris Logan, owner, appeared via phone.

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued on November 6, 2023 regarding obstruction of the boulevard, to remove and dispose of planters, woods, metal cans, large rocks and misc. debris. Compliance date was November 13. She did speak to Inspector Kedrowski. Photos are on file.

Moermond: I see a lot of boulders, plantings, pots, and plastic bags.

Martin: The rocks and boulevard plantings, it is considered a nuisance. Also, there's concern about impact on the boulevard tree. There is a lot of stuff in the yard, but the yard is fine. This was not the only property called out by inspectors. Often, we get complaints about planters or planter boxes on the boulevard, but here we wrote 15 or 19 different cases. Some had rocks, some just some planters, and this had a little of everything.

Logan: I have been stressed out since this matter began. Hear me out, my blood pressure has gone up. If someone made a complaint against the boulevard, I'm really sorry. I am not that kind of person. I've had it like that for over 30 years. When you talk about the obstruction and stuff around the trees, I water it. They scraped the tree down to the roots. As a young homeowner, I didn't know how to take care of the trees so I put the dirt around it. In the meantime, I have been moving the rocks and boulders. It took me 30 years to bring them in. I can't move them in 2 weeks. I am really sorry for it affecting my neighbors. The little flowerpots are less than 36". I'm pleading. I helped them remove the eyesores on their property. No one helped me. I am not going to fight with you all about the boulevard. I'm in the process of removing it. The bags had mulch in it. I am the one who cleans up the block so I wouldn't leave things deliberately. I clean the streets up, dirty diapers and nasty prophylactics. I am in the process of moving the rocks. I have over 50% gone. I need more time. I wanted to fight for what people can have on the boulevards. I'm not throwing away my driftwood. I



*moved it to my yard. If you give me time I hope to get all the rocks moved before the weather gets bad. Is it ok that I have my little bench out there?*

*Moermond: I want you to take a deep breath. I am very sympathetic to your situation. I don't want you feeling unwell because of this. That is not where I am at all with this.*

*Logan: What did you all want me to do?*

*Moermond: I want to talk with you and find out more about your circumstances. Ultimately, in front of me are orders, I can see it was written because of the reasons mentioned. They're saying if you are going to have an installation like this in the boulevard, you need to have a permit to encroach in the right-of-way. That is why the orders were written. Public Works hasn't cleared this to be in the right-of-way. They aren't likely to because it violates a couple sections of City Code. That is one concern.*

*Planting height, no you don't have anything over 36". The tree situation is that tree roots are really negatively impacted by having weight on them. Having stones can suffocate the roots. I hear you working on it, but that is also part of the puzzle. I want to give you an extension to work on this. I want to make sure it is doable from where you are coming from and also works with how weather impacts things. I don't know if you have help doing this. It's a lot to do. I have no interest in rushing this. I can't even put this in front of the City Council until December 6th for them to consider it. I'm hoping you can take a breath, slow down a bit, do it in phases because I don't want it to negatively impact your health anymore. It is a lot. It is still ambitious, but you sound like you're on top of it.*

*Are you doing this all yourself, Ms. Logan?*

*Logan: yes. You want all the boulders and rocks gone. Ok. I'm almost done with that. I have one pot left. The stones encompassing the flower gardens, you want all those gone and then I'll be done. I'll remove the bench. I don't have anything else out there. The only variance would be height because it was basically a raised bed. You want the dirt gone? I can't do that.*

*Moermond: no, you are fine. We're talking about the stone.*

*Logan: just listen to me. I'll remove it all. It will be gone by the end of the week.*

*Moermond: I don't see the bench in the photos. Is the bench there now?*

*Logan: it is a concrete bench that sits near the tree.*

*Moermond: I was hoping it was not concrete. It would be easier to be removed so it could be there seasonally.*

*Logan: I can move the concrete bench. Not a problem.*

*Moermond: Ms. Martin will there be any concerns about the egress out of the house.*

*Martin: No, there is a sidewalk with clear path out of the house. There are just a couple flowerpots on the sidewalk by the door so in an emergency there isn't blocking the stairs. We don't want to see pots on the stairs or walkway.*

*Moermond: I will ask the City Council to December 22nd, push out 5 weeks. Is that*

ok?

Logan: Yes.

Moermond. I will not lock this in. I will not make a recommendation at this time. I need to wait a couple more days to see anyone else on your street is appealing. I want to treat everyone the same and give the same consideration. I will wait until next Tuesday and if no appeal, will grant to December 22nd and no sooner.

Logan: no one on that block is going to appeal.

Moermond: Ok, if they changed their mind, that is fine.

Logan. A couple of my neighbors have flowerpots on the blvd, less than 16 inches tall. Are they supposed to remove them?

Moermond: I will turn over to Ms. Martin.

Martin: we don't want any obstruction on the boulevard. If flowerpot or anything we asked them to remove. There are 15 orders, and they would need to remove. All those addresses have been addressed. Back to egress in front of the house, she does have access to front door, but I want to make it clear there are couple flowerpots going to the front so those need to be removed from blocking the stairs.

Logan: I will address to them this afternoon.

Moermond: you are so incredibly responsible. It is a breath of fresh air. I appreciate you taking the leadership in the neighborhood to pick up trash. I also want to talk about that concrete bench. It sounds like you are so strong, but Ms. Martin what is the expectation around that concrete bench and is that included as an obstruction?

Martin: it is included but I thought it was removed?

Logan: I'll have the bench moved.

Moermond: I know a lot of people care about this and are wanting to help. Lean into that. I'm going to wait a week before I give a recommendation, give the neighbors with orders a couple of days to appeal if they want. That way everyone is treated the same. I hope things go smoothly and you can take a breather before pushing through. Your deadline will be December 22, 2023 in case you need that.

LAYOVER ONE WEEK to November 21.

**Laid Over to the Legislative Hearings due back on 11/21/2023**

## 1:00 p.m. Hearings

### Vacant Building Registrations

<b>6</b>	<b>RLH VBR 23-64</b>	Appeal of James Nguyen to a Vacant Building Registration Requirement at 607 LAWSON AVENUE EAST.
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Sponsors: Yang

*Grant the appeal and release property from the VB program. Grant to August 1, 2024 for compliance with item 1 of November 8, 2023 orders related to roof.*

*James Nguyen, owner, appeared via phone*

*Staff report by Supervisor Leanna Shaff: Inspector Vue was at the property. Exterior needs some paint; roof has missing shingles and is in rough shape. The garage needs some paint and soffits towards alley are deteriorated with holes. No change to that. Flooring on stairwell landing. Multiple receptacle plates missing. Casings missing from multiple doors. Not a lot happening inside that would take too long. Mostly the exterior is time and weather dependent.*

*Moermond: those are the big dollar items, the roof. Mr. Nguyen, what do you think about that list and how long it will take?*

*Nguyen: when the inspector came she pointed out the one missing shingle, otherwise the roof is in bad shape but it isn't leaking yet. The six other items, as we speak all of them are done. Those can be reinspected anytime. I repaired the roof but didn't replace, that would cost too much. They're all repaired and it is ready for reinspection.*

*Shaff: the roof above the doorway I see worn shingles and very deteriorated. Some have rounded edges and curling. It may not be leaking yet, but it is definitely a case of deferred maintenance and needs replacement.*

*Nguyen: I can add a new layer of shingles on top of it. I would love to replace it, but I can't afford it.*

*Moermond: so, you repaired by putting a second layer of shingles down?*

*Nguyen: yes. As I understood I did go around the roof and find anywhere with a similar situation and do that, so I can guarantee no leaking. Bottom line is the roof is repaired. Everything else on the list is repaired and ready for reinspection.*

*Moermond: that sounds good, Ms. Shaff, comments?*

*Shaff: I see the photos from November 7 and the roof over the doorway. There definitely needs to be replacement. Building code doesn't allow a second layer of shingles. Any repair over \$500 needs a permit. That's what a typical person could expect to pay. Free shingles and free work by myself aren't what the building code assumes. There are a lot of code issues, it isn't just a simple repair.*

*Nguyen: I don't understand to code per se, but for fire safety issues it says repair worn out roof. I can't repair it?*

*Shaff: there are multiple ways for achieving code compliance. I would recommend getting a roofing contractor out to see what needs to be done.*

*Nguyen: I had someone out and they wanted to charge \$8,000. I can do it myself with help.*

*Shaff: you need to pull a permit to do that.*

*Nguyen: bottom line is the missing shingles are covered with a second layer of*

*shingles.*

*Moermond: the order doesn't say replace, it says provide and maintain the roof. It doesn't say a permit is required, so I take it in good faith that he didn't know he needed one. It is winter and going to be nearly impossible to get a contractor out.*

*Shaff: he already said he was presented an \$8,000 bill for replacing the roof.*

*Nguyen: I asked them to come by and take a look and give their opinion. They quoted a replacement. They also told me it would be \$250 an hour more if they find other issues. I can do it myself and pull the permit. I've done it a few times. By spring if I have to have it replaced I can get it done.*

*Moermond: you have everything except the roof done is what I am hearing. You've done some repairs to the roof, including visible locations and those that you found yourself. Taking into account how long it may take—*

*Nguyen: it is an issue of money and time. They won't repair, they don't make money doing that. I've called 2 or 3 contractors, only one responded. They want a blank check from me, which I can't afford. If I could get to May, just in case.*

*Moermond: I'm comfortable doing that, I'll recommend they give an extension to August 1, 2024. That's a liberal extension but the impact of not meeting that deadline is to be looking at another revocation of your Certificate and going into the Vacant Building program again. You're getting a nice extension to avoid that. Does that work?*

*Nguyen: yes, I would love that. It will get done.*

*Moermond: August 24, 2023 for roof repair. We need a reinspection on the balance of the items. The inspector will reach out with a time for that reinspection by US mail.*

*Nguyen: can I say something? I did receive the email from Inspector Vue. Sometimes I receive letters in the mail and sometimes I don't. I would prefer an email. She can also call. US Mail sometimes I don't get.*

*Shaff: our system doesn't allow that; I would ask that the appellant call Inspector Vue within the week to schedule an appointment. Call her between 7:30 and 9 am.*

**Referred to the City Council due back on 12/6/2023**

**7 RLH VBR  
23-66**

Appeal of Jason Stockwell to a Vacant Building Registration Renewal Notice at 1006 THIRD STREET EAST.

**Sponsors:** Prince

*Recommendation forthcoming pending issuance of Code Compliance Certificate.*

*Jason Stockwell, owner, appeared via phone*

*Moermond: following up with you on this appeal. I was hearing from my team you were having delay in getting a mechanical inspection and that is tomorrow?*

*Stockwell: he said tomorrow morning. He said two of the other City inspectors are out, so he's covering and couldn't come until Wednesday morning. It is just the gas stove connection. It already passed the air test.*

Moermond: this sounds straightforward. Last week I asked the Council to continue the conversation from 8 to tomorrow, the 15th. If they aren't coming until tomorrow it doesn't give Clint much time to generate the Code Compliance certificate. I'll ask the Council to continue it to December 6, but that won't hurt you. You'll have your Code Compliance and that doesn't depend on Council action. So, we'll deal with that that way. This Vacant Building registration renewal, I'll hold off on a decision until we have this buttoned up and the Certificate is issued.

Stockwell: crossing our fingers that it gets done tomorrow, at what point can I begin staging?

Moermond: as soon as you have that Code Compliance certificate in your hand.

Stockwell: wonderful.

**Referred to the City Council due back on 12/6/2023**

**8 RLH VBR  
23-69**

Appeal of Tamiko V. Trott-Binns and Michael A. Binns to a Vacant Building Registration Requirement at 1020 and 1022 AURORA AVENUE.

Sponsors: Balenger

Waive the Vacant Building fee for 90 days (to February 6, 2024). Allow permits to be pulled and make property a Category 1 Vacant Building (no Code Compliance inspection required).

Tamiko Trott-Binns, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: it was before you this last summer under appeal where it was removed as a Vacant Building and uncertified the property to give the new property owners the opportunity to repair it. You gave to November 1 for compliance. Inspector Caballero found the building gutted with lots of open permits. We referred it to the Vacant Building program since it meets the definition of a Vacant Building and the deadline given by Council was not met.

Moermond: it was condemned, under chapter 43.

Staff report by Supervisor Matt Dornfeld: we opened a Category 2 Vacant Building on November 3, 2023 per that referral. The house was found vacant and secure at time of inspection. Rehab appears to be ongoing.

Moermond: can you tell me where things are at? We have three permits out there, rough in inspections, one more permit forthcoming. What is going on?

Trott-Binns: I was talking to the Fire Inspector and wasn't aware I needed to be communicating with you as well. Upon realizing that it was too late. We purchased it in July, we did get the November 1 and thought it was realistic at the time. After closing and getting into it and the correction orders on it, the length of time and putzing with trying to just repair what was there, we just decided to gut the entire dwelling after we cleared it out. Pulled for permits for electric, plumbing, roofing, siding we've redone. We had to wait for Xcel to install a new meter. That just got done in October. We've

*had the framing inspection, electrical inspection, plumbing inspection. We have started with insulation and looking to call for inspection by end of week to start drywalling next week. Regarding the correction notice, with us going down to the studs, those have been corrected since they've been removed. The state of the orders are not the current state of the dwelling. How do we move it from a Category 2 and being vacant to the state in which it is now?*

*Moermond: I'm not working against you on this. When I look at this and evaluate the situation I see it was condemned. A ton has happened. There are permits out there. The value of the permits is \$101,000. A fourth permit still needs to be pulled according to the notes from Department of Safety & Inspections. The difference between a Category 1 and Category 2 is whether a Code Compliance Inspection would be required. You have such substantial permits that you'll be doing approximately the same as what the Code Compliance would require anyway and it wouldn't benefit from that additional inspection. I'm thinking the wise move for everyone is to make this a Category 1 Vacant Building. That leaves me with the question of the Vacant Building fee. The earlier question about timeline and scope, what does that look like in terms of getting ready to do the work? So, I can think about this in terms of closing permits.*

*Trott-Binns: could I have had them come out and had them see that all of the items have been taken care of even though it is not sheetrocked? We put in new plumbing, bathrooms, kitchen. The flooring we took out. I'm just wondering, it isn't a Category 1. We have it to a remodeled building.*

*Moermond: you're getting a break by having it be a Category 1. As a condemned structure that isn't currently occupied you are, by definition, a Vacant Building. You were given to November 1 to not have it be that way. It isn't a judgment about whether in general the finish line is crossed. The Finish line is having it signed off as ready to occupy. If you want to present to Council that it shouldn't be a Category 1 you are welcome to do so. I asked about your timeline so I could see if a fee waiver is appropriate so I could help you not have a Vacant Building fee if you can finish sooner versus later. I'll ask that one last time.*

*Trott-Binns: we should be by January.*

*Moermond: the date we operate from is November 6, so I'll ask the Council to put a 90-day waiver on that, which takes you to February 6, 2024. [Moermond explains tax appeal process]*

**Referred to the City Council due back on 12/6/2023**

**9 RLH VBR  
23-70**

Appeal of Greg Lehman to a Vacant Building Registration Notice and Fire Certificate of Occupancy Revocation Notice at 839 FOURTH STREET EAST.

**Sponsors:** Prince

**Referred to the City Council due back on 12/13/2023**