



Minutes - Final

Legislative Hearings

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Tuesday, February 13, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 **RLH RR 23-10** Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (To refer back to March 12, 2024 Legislative Hearing)

Sponsors: Yang

Refer back to LH March 12, 2024 at 9 am for discussion with purchaser.

Scott Fergus, fund manager representing the owner, CAG National Fund 1 LLC, appeared via phone

Lisa Proechel, real estate agent who manages the property Keller Williams, appeared

Proechel: Mr. Fergus isn't here, I just sent him a text and he isn't responding.

Moermond: it looks like the redemption period expired.

Proechel: yes.

Moermond: it sounded like you were looking at doing the rehab yourself?

Proechel: the question was whether we do the rehab or sell to a nonprofit. That isn't decision-making I am part of, that would be Mr. Fergus. I've been asked to do another broker's analysis on this. That's all I know unfortunately.

[Scott Fergus was called into hearing at 9:29 am]

Moermond: we're here with Lisa Proechel about a hearing for 1117 Jenks.

Fergus: I'm in the middle of a closing. We're under contract with the greater metropolitan housing corporation. I apologize for missing this. We'll get you the signed offer and hopefully because it is with a qualified CDC (Qualified Development Company) the title can transfer. They are a known entity to you guys.

Moermond: and they'll have the same requirements you have about length of time to

rehab.

Fergus: they are fully aware of that, yes.

Moermond: could you send us contact information too?

Fergus: absolutely.

Moermond: sounds like they're close to closing, we need to make sure we're involving the buyer on our end. I don't know anyone at that entity, we'll reach out to Planning and Economic Development. Would March 12 work for you to talk again?

Proechel: yes.

Moermond: we'll send this to Council February 28 and ask them to send it back.

Referred to the City Council due back on 2/28/2024

- 2 RLH RR 23-31** Ordering the rehabilitation or razing and removal of the structures at 455 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023, City Council Public Hearing. (Refer to March 26, 2024 Legislative Hearing)

Sponsors: Noecker

Refer back to LH March 26, 2024 at 9 am for update on closing and further discussion.

Thomas Radio, attorney representing ownership, appeared
Bob Craft, o/b/o WSCO, appeared

Moermond: this really helps update the record. Ms. Shin extended the due diligence period, paid the money to do so. Has secured financing through Sunrise Bank. She's been speaking to the seller, Allstate, and the property is still insured?

Radio: the property is insured, yes.

Moermond: this phase 1 environmental review is rather a surprise?

Radio: yes, a surprise to everyone there wasn't a report in the file. Everyone assumed it was done in the fast. It was an old filling station.

Moermond: and that was the triangle to the immediate south, so the concern are the underground storage tanks, though one would hope they were removed safely. Do we know when?

Radio: it just came up yesterday, so we are in the process of getting that history. If it can't be done by the end of the due diligence period, I'm sure they would extend it. It would be typically done. There are only a few companies that do this. We will continue to push, and if they can't get that consultant we'll find someone else.

Moermond: who owns the adjacent property to the south? Are they cooperative, or is this just underneath the Burger King property for those soils?

Radio: phase one is limited to the subject property. Soil testing and record review.

Moermond: the homework needs to be done regardless, but one of our commercial fire supervisors has worked on these situations in the past. No timeline on phase one right now?

Radio: we were waiting for a call back from the consultant. I'm going to push the buyers broker for a definitive timeline. They know I'm reporting to the City periodically and need definitive information.

Moermond: if for some reason this deal falls through, would it not be in the interest of the seller to have that analysis done?

Radio: if they dropped out, we would also do one. Then we can provide that if the deal falls through and not caught in the slow timeline again.

Moermond: is there a way for an addendum to be attached to the purchase agreement so if the deals fall through you'd pay for the environmental review, it may help expedite things. I'm not involved in your private negotiations, other than cracking the whip to get this done.

Radio: I'll speak to them; it doesn't make sense to pay for two.

Moermond: they won't be ready to pull the trigger on closing until that phase one is done and confirming with their bank that this will work. Also, those are added numbers into the cost of the project, which factors into their financing and perhaps the purchase price. Mr. Craft, any questions from the District Council perspective?

Craft: what I know is that Jerry Service center next door was there forever, I have no idea if the tanks were removed. I'd assume when the Burker King built they would have had to check for this. I'd assume those records are somewhere.

Moermond: regardless, soil contamination may have migrated, we just don't know what happened and when.

Craft: I understand.

Moermond: we think they probably took care of it, but we need to confirm that. I understand the goal of the neighborhood's best and highest use is a locally owned restaurant. I believe that's consistent with the neighborhood Comprehensive plan.

Craft: they wouldn't have recommended demolition if it wasn't an option.

Moermond: what is the process for extending the due diligence period?

Radio: either through an addendum to the purchase agreement or just an agreement. We each assumed the other had it. Both sides want the deal to go through. My recommendation would be to extend it without additional money. I need to hear from the broker about a timeline.

Moermond: I'd like the Council to be advised more about why an environmental review is necessary. The trigger for that. We can look at it again March 12th. Let's put this in front of Council February 28 and I'll brief the Councilmember for this area and ask for it to be sent back to Legislative Hearing March 12 and if there are any questions we'll flag that for you. Otherwise, I anticipate there being no issue sending it back to hearing given how far along this is.

Radio: my wife's birthday is March 11 and we have a trip the week of the 12th. Can we push that later?

Moermond: we do these types of hearings the 2nd and 4th Tuesdays, I can ask for March 26 and maybe we'd even be at a point with closing and plans and financing ready for review.

Craft: the group I work with has observed the parking lot is being used as a shortcut between Robert and Caesar Chavez.

Yannarely: it has been fenced in?

Craft: the parking lot?

Moermond: I've driven by, but maybe we aren't talking about the same parcel. It could be the parcel it is fenced and there's an adjacent lot being used. Mr. Yannarely can go by and confirm. It is a good thing to have answered. We can include that in our follow up letter Friday.

Yannarely: sure.

Referred to the City Council due back on 2/28/2024

3 [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. (Refer to March 12, 2024 Legislative Hearing)

Sponsors: Kim

Refer back to LH March 12, 2024 at 9 am for further discussion. By COB March 7 PO to submit 1) work plan/sworn construction statement including bids, 2) schedule for completing the project, 3) evidence of financing, 4) affidavit dedicating funds to the project, and 5) property must continue to be maintained.

Wesley Hart, owner, appeared via phone

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

Moermond: we are checking in on this. We sent you a letter, January 24 with some expectations in it.

Staff update by Supervisor Joe Yannarely: in order to get time they were to submit evidence of financing, affidavit, work plan & bids and schedule, and maintain the property. Only the last was done.

Moermond: we've received nothing, I asked for it to be send from the Council Public Hearing December 20th to give you an extra nearly 8 weeks to get your things together on this. Where are you at? It has been a long time.

Hart: we got the Code Compliance Inspection Report, sent it to our previous contractor. My son was born January 5 and was in the NICU for six weeks. They gave me the work already done as part of the restoration as well as a demo contractor to complete the work. I just got home from the hospital a week and a half ago. I am actively working on it, I hope that matters. We do have the financial means to do the work, I will complete

the documentation. I'm sorry I haven't done so yet.

Moermond: but we don't know how much money you need given you don't have an estimate right now.

Hart: I know where I am financially and feel confident in that, but you are right I don't know the exact number.

Moermond: and I don't share that confidence yet. What are you thinking in terms of contractor's plans, whatever they are putting together for you?

Hart: no timeline, sorry. We're having issues with our previous contractor on what they're going to fix from the Code Compliance Inspection Report and then the remaining work I need to get a bid from our new contractor which I haven't done yet.

Moermond: I have a great deal of sympathy for your circumstances. I also know the fire happened in March 2021 and the City started correspondence about getting it fixed August 2023. Hearing in September. We have a long-term pattern which makes your current circumstance harder because things aren't together. It is an issue. I really want to work and help you out. Maybe you need to have someone manage the project for you.

Hart: a lot of what you're looking for from me is documentation that shows I have a plan and the timeline for completing it. I am going to put time into that, I have the time now. Hoping to get that to you so you can be confident I'll get it done and occupied again.

Moermond: and what is your timeline on getting us that information?

Hart: by the end of February.

Moermond: have it to my deadline by March 7th, and then we can talk about it on March 12 and review those final details. You have to give me something, because if there's nothing at that point I only have one option.

Hart: understood.

Purtell: the bank is just monitoring and doesn't have any plans at this time.

Referred to the City Council due back on 2/14/2024

4 RLH RR 24-2

Ordering the rehabilitation or razing and removal of the structures at 1262 MINNEHAHA AVENUE EAST within fifteen (15) days after the February 21, 2024, City Council Public Hearing.

Sponsors: Johnson

Grant 180 days pending submission of amended timeline and bids reflecting all items in the CCIR.

James Irving, Grand Realty, manager o/b/o Hermanson, appeared via phone

Moermond: we sent a letter to you January 24 and I'm going to get a staff update.

Staff update by Supervisor Joe Yannarely: were to submit evidence of financing,

affidavit dedicating funds to project, submit work plan, bids, schedule. We received a packet Monday.

Moermond: the items in the bids don't match up exactly with the items in the Code Compliance Inspection Report and rather than having inspectors dissect it, have your contractors simply add a sentence saying they're doing the work for all the items in the Code Compliance Inspection Report. That would handle it as far as I'm concerned. It looks like the things they're enumerating looks close, but I don't want to spend my time cross referencing it.

Irving: I'll get them to amend those bids today.

Moermond: I believe Ms. Vang followed up with you on a timeline?

Irving: I did amend the package and add it in there. 21 days from approval from you. We can start within a week on the exterior work.

Moermond: I'd like to see where we're going to get in terms of the work plan itself. You think a one to two month time frame?

Irving: I believe the garage is going to be the largest issue and until we get into it, it is hard to be sure on a time frame. I would say that would be worst case scenario.

Moermond: I prefer to plan for that. If you get 180 days and you're done in day 150 we can close the file easily. If we give you 90 and you aren't done we need new plans and financings, that makes your life more difficult.

Irving: understood. I'll amend for absolute worst-case scenario. I'll work on that and hopefully have it to you by close of business tomorrow.

Moermond: 180 days takes you to mid-August.

Referred to the City Council due back on 2/28/2024

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 5** **RLH RR 23-68** Making finding on the appealed substantial abatement ordered for 1043 BEECH STREET in Council File RLH RR 23-28.

Sponsors: Prince

Grant additional 90 days to rehab and continue \$5,000 PD.

No one appeared

Moermond: yesterday Mr. Steinmaus submitted a construction update and schedule for finishing. This was at 85% complete, per Mr. Zane. Performance Deposit is automatically continued. Looks like 90 days will more than suffice.

Referred to the City Council due back on 2/28/2024

- 6** [RLH RR 23-66](#) Making finding on the appealed substantial abatement ordered for 621

BIDWELL STREET in Council File RLH RR 23-39. (Refer to February 28, 2024 Legislative Hearing)

Sponsors: Noecker

Continue CPH to February 28, 2024. Recommendation forthcoming.

Shannon Powell, Freedom Mortgage, appeared via phone

Powell: I did follow up with my vendors and they said they are just waiting for inspections. Mr. Zane indicated the permit status.

Yannarely: finaled electrical. Open plumbing, mechanical, warm air, and building.

Moermond: any rough-ins? While you check on that, why don't we get Mr. Zane out there for that progress report.

Powell: I didn't since he had indicated I just needed those finals. Plumbing just needed some photos I believe. The mechanical permit was pulled but awaiting inspection. That's the last information I had from my vendor on Friday.

Moermond: the Council Public Hearing for this is scheduled for next Wednesday.

Yannarely: correction letters went out in the last couple weeks for plumbing, furnace, mechanical.

Moermond: we don't see any reinspection dates, which we typically would see. Talk to your contractors. I'm guessing they haven't made the call. I can push this a week at Council but I really need this buttoned up. Not sure if your predecessor shared with you the neighbors were very involved.

If I don't have finaled permits when I stand there February 28, I'll need a work plan.

Referred to the City Council due back on 2/21/2024

7 [RLH RR 24-6](#)

Third Making finding on the appealed substantial abatement ordered for 939 CHARLES AVENUE in Council File RLH RR 23-37.

Sponsors: Bowie

Layover to LH February 27, 2024 at 10 am. for further discussion after progress inspection by building inspector.

Lorie Miller, owner, appeared via phone

Moermond: we're here talking about progress, and we don't have a progress inspection by Clint Zane with a percentage. Can you get that taken care of?

Miller: yes, absolutely.

Moermond: the letter said you needed to do it, and this isn't your first rodeo.

Miller: I thought I was going to be able to have him out for a final inspection.

Moermond: that would be great. March 6 is your Council Public Hearing date. I don't

have that percentage which would give me an idea of where we go from here. I will tell you back in July we were looking at 80% done. If we can't close the file I'm looking at asking the Council to forfeit your Performance Deposit and post another \$5,000. I need to see action on this. I'd like to talk again in two weeks and hopefully that will be to your benefit. I'm running low on options as it stands now. We'll talk on the 27th.

Miller: ok.

Moermond: I do see you submitted a letter from your health care provider, and we will not include that in the public record. We'll shred it.

Miller: alright, thank you Ms. Moermond.

Moermond: I appreciate this is impacting your ability and wanted to make sure you were making an informed decision. We'll talk again in two weeks.

Laid Over to the Legislative Hearings due back on 2/27/2024

8 RLH RR 24-9

First Making finding on the appealed substantial abatement ordered for 1082 LOEB STREET in Council File RLH RR 23-8.

Sponsors: Kim

Recommendation forthcoming pending issuance of CC certificate. If not issued, PO to submit updated work plan for completion of the project by COB Monday, February 26, 2024.

Edwardo Rikprashad, owner, appeared

Yannarely: Mr. Zane has indicated 90% complete.

Rikprashad: it is done, we just have a couple inspections.

Moermond: it isn't done until they say its done. There could be corrections. Hedge your bets. You have your rough in done for mechanical, but your warm air is still active?

Rikprashad: it is done, but they need an invoice from cleaning the duct work. That's been sent in by the mechanical. Its been inspected, they don't even have to go back. It is fully completed.

Moermond: do you have dates for these inspections?

Rikprashad: mechanical is waiting for inspector to get back from vacation.

Moermond: warm air, mechanical is the same contractor?

Rikprashad: same contractor, different permits.

Moermond: and then Mr. Zane to do the final walkthrough.

Rikprashad: he was there Friday but the permit is still open. He said as soon as the inspector signs off he doesn't even have to go back out. He'll sign off on it. I spoke with Nathan Bruhn last Friday and they were very helpful.

Moermond: your Council Public Hearing is February 28th. I'm not seeing any reason to

change that. if your finals are done before then, say Monday the 26, then we close our file. If you aren't going to have your finals by then, I'm going to ask you to send me a written statement with a revised schedule on when you think you'll have them done so I can ask for the Council to make a grant of time to complete it. If you need a month, we can do that, six weeks because of contractors, I'd rather walk in February 28 and ask them to take an action that either closes the file or sets a benchmark.

Rikprashad: that is fine. It is done, I understand you see something different. Some signatures are needed.

Moermond: let's have it all done and in the event you don't have all the sign offs you can send an email with a schedule of when you anticipate those sign offs.

Rikprashad: my Performance Deposit is still safe?

Moermond: yes.

Rikprashad: and the Vacant Building fee?

Moermond: the anniversary date is October 3. April 3 makes it exactly six months. When you receive the Vacant Building notice I'll recommend this is cut in half.

Rikprashad: you can't waive the whole thing?

Moermond: that is not my practice. In the program between 3 and 6 months I'll recommend it is halved.

Rikprashad: but—

Moermond: but nothing. You bought yourself a Category 3 Vacant Building and knew there was a Vacant Building fee involved and if you didn't that's your own due diligence.

Rikprashad: but they didn't do a good job.

Moermond: who is they?

Rikprashad: I mean, there was garbage in the yard I had to clean up. It was the previous owner's.

Moermond: that's between you and them.

Referred to the City Council due back on 2/28/2024

9 [RLH RR 24-8](#)

Second Making finding on the appealed substantial abatement ordered for 733 FAIRVIEW AVENUE NORTH in Council File RLH RR 23-11.

Sponsors: Jalali

Layover to LH February 27, 2024 at 10 am (via phone) for further discussion. PO to file BC appeal prior to the LH on 2/27.

Stamate Skliris, owner, appeared

Herb Smith, contractor, appeared

Mary Dermatopolis, aunt of property owner, appeared

Skliris: last time we met was remote, I'm in Sibley County. We'd been given an extension. Since that time, I've been in communication with—does this room have the facility to hook up HDTV so I don't have to print out items? Like every other courtroom?

Moermond: it does have that technology. One there was a note of 70% complete June 9, 2023. The second thing was that \$5,000 Performance Deposit. The forfeiture letter was automatically generated, but only the Council can handle that at this point.

Skliris: I did speak to colleagues who found that strange. When one gets that form about the Performance Deposit it indicates it will be put in an interest-bearing account, but nowhere does it indicate it is subject to forfeiture. For an education person, I can see that. A lay person probably not.

Moermond: that's not a bad suggestion. Chapter 33 of the code does say that. But I can recommend they make that change.

Skliris: that's a contract. Nowhere does it say subject to forfeiture in the four corners of the document. Anything said in hearing is after already posting the \$5,000. It needs that language.

Moermond: asked and answered already. Continue.

Skliris: Mr. Zane was emailed photos yesterday morning. Prior to that I had an inspection on June 6, 2023 with all the inspectors led by Mr. Zane and Dave Blank pointed out things and told him to just send a photo. I let Mr. Zane know that. I sent that to Dave Blank. I didn't hear back from him. I sent that February 11, 2024. The email updating Mr. Zane was sent yesterday morning. I did show him that a \$10,000 deck was put in the back. What is frustrating is there has been at least four different inspectors in this home and they have different requirements which is countervailing. When you make a correction to one, the subsequent inspector doesn't even note it at all.

Moermond: has that happened since we spoke in June? Have there been change in expectation subsequently?

Skliris: no.

Moermond: so that was prior to the last six-month grant of time. I heard you; it is in the record, it has been covered.

Skliris: that was one of the requirements. The other item was the plumbing inspector flagged two items, one was the two shower stalls to be done by licensed plumber so a new contractor pulled a permit with Department of Safety & Inspections the two shower stalls have been revisited by him. They're both exactly the same. As well as the \$165 permit for the \$4,000 work. I sent that to Mr. Zane as well.

Moermond: yesterday?

Skliris: yes.

Moermond: and I want to pause and say photos, while great and worked for Mr. Blank's items, there are other situations where photos won't suffice. Eyes on is the actual measure unless indicated otherwise.

Skliris: and the deck is a bad example since it is low. It doesn't meet the height requirement of a permit.

Moermond: you understand where I'm going with the concern. Photos are great but eyes on is the measure unless they say otherwise.

Skliris: another thing is we have an issue with the HVAC contractor. I have one outstanding plumbing item that hasn't been addressed. Where they wanted me to open the sheetrock of the finished basement so the plumbing inspector could see the tankless water heater vent, I haven't addressed with the plumber but has been addressed on what I would like to believe is an appeal.

With the HVAC we have an issue. Patton did it in 2016 and 2017. In good faith here is the gas by Kristy Dick and my complaint if you remember, a lot of these have been done and been lost since Reid Soley's retirement. This same contractor is vehement this is done, why would he have done it and I have proof and Department of Safety & Inspections doesn't. Now Department of Safety & Inspections wants me to open up ceiling and tiles from the walls.

Moermond: this is ground we've already covered. And I am not the building code appeal body. That would be the building official and appeals of his decisions go to the State. The tag you just showed the rough in was approved.

Skliris: I do have another completed.

Moermond: right. That means that is already accessible by the building official.

Skliris: the inspector wanted to make sure that it was insulated. I'm unwilling to break tile to show something empirically right there. [shows photo] When you have a gracious person like Dave Blank when I show I tiled over the heated coil and its approved. Asking someone to destroy a finished home is unconscionable. I don't mean to offend but I think Kare 11 would love to hear about it. They would love to hear about that.

Moermond: hire whatever attorneys you want to hire. I hear you are escalating—and that's ok. We have three floors of attorneys, that's what they do. I am not going to be in the middle of it. You take care of your own interests. Continue with your information.

Skliris: not only is the dryer vent depicted, so are the bathroom fans, all 3 of them. I have photos. Another is the copious use of the mastic to the HVAC. I have many photos. One of the issues we have is one HVAC requirement was to clean the ductwork. I hired a third party to do that. [shows photo of truck outside] That's been done. One of the unfortunate issues that is ever since the Department of Safety & Inspections got involved and asked for permits from this contractor who has \$25,035 from me that exceeded the contract of \$24,000 we'd contracted for, he's unwilling to come back.

You made a statement at the last hearing that perhaps the homeowner doesn't have the funds to pay him. You did acknowledge previously though that it is often typical a homeowner doesn't pay a contractor until all the work is done. I have check memos that show one-third, one-third, one third. Nonetheless, I went after this hearing—the balance remaining was \$5,200—I made a cashiers check from Wells Fargo for \$6,100 and tendered it to the HVAC contractor. Told him that this is what you get upon completion, as is stipulated in the contract from 2016, upon successful passing of

final inspection. Not finishing the job.

But they are unwilling to come back. They will come and make the minor corrections that the mechanical inspector found, but the mechanical inspector gave an option that if I'm not willing to destroy sheetrock I need to aroeseal it. That costs \$2,000-\$3,000 and the contractor would have to pay out of pocket, which he's unwilling to do when he knows he had it inspected. You see where we're at? Are you following me there? He's adamant that this was done, just as Mr. Smith and myself are. With the changing of so many different building inspectors for him to take \$3,000 and pay it, he's unwilling to do that.

I have contacted his bondsman. His bondsman isn't pleased whatsoever. I provided 50 pages of documentation. He said to me 3 days ago he is going to give Mr. Patton 30 days to respond or he will forfeit his bond and take action. Since these permits have been missed, misplaced, to the detriment of the homeowner. I even brought in a third-party contractor to come look at the work, Chuck Pulton, and he indicated in order to finish it will cost \$20,000 to \$25,000. I'm willing to do it but I encourage you to talk to the bondsman to induce the contractor to come back. But he's offended because he knows he did the work. Part of my frustration is I've been coming here for 8 years, one of the issues we have—the only thing remaining from Patton—

Moermond: to be clear I saw a photo and duct work, and I don't have that expertise. I wouldn't be signing the permit anyway. You can show me that information but I can't say it crosses a finish line for finagling a permit. We have steps forward in each area. You've submitted photos. End game you were getting close six months ago, I can't help but think you're further along. I'm wondering also did you file an appeal with the building official about any of those determinations?

Skloris: I prepared a 21-page document with photos to Angie Wiese.

Moermond: when?

Skloris: last Friday.

Moermond: we can get you the building code appeal form. She isn't the building official. She's his boss.

Skloris: my only concern is this, you spoke in the past about no ex parte communication. So during this time when Clint Zane emails all the parties. Stephen Ubl is on those emails all along. That's ex parte.

Moermond: I have no other tool in my toolbox. The State is going to say they need that.

Skloris: I just want a fair stake. Do you understand what I'm saying? I want finality, not go deeper into an appeal.

Moermond: Angie Weise isn't the legal correct party to do the review. It would be Mr. Ubl. Letting her know isn't a problem, by all means copy her on it. He has to make the call, then up to the State it goes. Tell me about the impact timing-wise. I think we'd all be well served to close the file. We want to build into the timeline the review and appeals process and how that could impact how you are able to finish the project.

Skloris: [shows photos] this is the boot for the HVAC. The contractor had workers

install it, the room is very small. The inspector wants it to be uniform in size, however this could cost \$20,000 to \$25,000 if a party other than the original contractor comes in to change it. We're at that stage now with the bondsman. What would help greatly is if Mr. Ubl or Mr. Weise—

Moermond: Angie Weise. She.

Skiris: mhmmm. I went to school with her.

Moermond: you know her then. So not he.

Skiris: yes, yes. So if they were able to say I didn't have to aeraseal it, or rip up the ceilings. I understand if you don't want chemicals in the home you live in the rest of your life. If they are willing to do that then I'm optimistic that Mr. Patton would come back, finish and get his \$5,200 check. I don't think he should get a tip for making our life difficult.

This is when I was up in North Dakota, one of the bedrooms [shows photo] there's a lot of tools. Shop vacs. Here's another bedroom with valuable stuff. I had subcontractors pilfering and stealing stuff, I bought a digital lock. This is a large reason we have problems today. Mr. Bruhn and Mr. Zane see the digital locks, they see I have clocks. Mr. Smith graciously showed Mr. Zane the home and when he did—Herb is 81 years old with a different philosophy than someone who is younger—said he would do it as a bed and breakfast. So Mr. Zane is dead set—

Moermond: and I told Mr. Zane, and would be happy to repeat this to anyone at Department of Safety & Inspections, regardless this is a single-family home right now and were it to be converted to a boarding house use there is separate licensing and building code considerations for that. That isn't the code under which we are operating here to get our original set of sign-offs. I simply have the single-family home in front of me now. That has consistently been something you and I have agreed on.

Skiris: one of the grounds Mr. Zane is supporting himself on is that here in Minnesota, when one pulls permits, the contractor must do it. But-for the electrical, the homeowner can do that. At the time when I purchased it, I lived far away, and called on the phone from Williston, North Dakota, and I spoke to Department of Safety & Inspections and found the email. Amanda sent me the electrical permit. I pulled it in my name, but I can get sworn affidavits that two master licensed electricians finished the work. That's where Mr. Zane doesn't like it. He says I did the work, so you can never rent it out if you wanted to. Well, he needs to 'chillax' because one of the things he says is it is Greek themed. [shows photos] This is my parent's home in southern Minnesota. There is a Greek key in the floor. This is the basement in southern Minnesota. Note the color of the tile. It is the exact same tile I have in the basement at 733 Fairview. By me making a home nice and having it Greek themed—obviously he hasn't seen My Big Fat Greek Wedding—because we are very proud of our culture. Eight years he's preventing Ms. Metropolis, an aunt, to live in the home and thank the lord this home is only 9 minutes away from my job on Wabasha Avenue. He can't get it through his thick head that I want to live in my home. He needs to back off. That's what I have to say for now.

This has been a long time and a lot of miles to come in here and Herb made a statement that brought us three steps backwards. My father, god bless his soul, says the goal is to facilitate people's lives, not complicate it. That's what has happened here. As someone who has a lot of discretion, authority, and responsibility like an

inspector, you have to be circumspect. Have discretion. I am concerned with Mr. Zane his discretion is minimal. To the effect that when Mr. Zane left Mr. Smith asked me, "Stamate, is he all there?" I don't mean to be disparaging but he has adversely affected a bonified homeowner who wants to be able to live in their home and go to work every day on the same street. Thank you.

Moermond: for all of the moving parts in this and knowing Department of Safety & Inspections just got photos the 11th and yesterday.

Skliris: correct, and Ms. Weise on Friday. I sent it to her because one of your friends suggested I do so.

Moermond: my friend?

Skliris: a past City Councilmember noted my frustration.

Moermond: I wouldn't consider any of them my friends--

Skliris: colleague then.

Moermond: I serve the City Council. They are not my friends. Collectively I work for the legislative branch of government. You are referring to Jane Prince I believe.

Skliris: perhaps.

Moermond: she's already said so. End game, you see the end of the tunnel.

Skliris: I saw it a long time ago. This bondsman now, Department of Safety & Inspections getting involved and spoiled the broth, my bondsman is spooked. Department of Safety & Inspections muddied things up. I'm not trying to point fingers, is there are 4 different inspectors in the same home with different recommendations leaving tags they didn't even have that I had to provide. I saw that light at the end of the tunnel a long time ago. They're trying to make me do double the work.

Moermond: I think you've been more articulate today in mapping these things out. These are forward actions. It gets us that much closer to the sign off. We weren't there when we spoke last. That's the light I'm seeing.

Skliris: I'm just concerned in six months I hear from you again asking what happened?

Moermond: and with all due respect you submitted this right before the hearing giving no one a chance to review to have any impact on this conversation today.

Skliris: I was waiting for a response from the bondsman. If you knew what my full time job is, it is very busy. I have gone through 90,000 photos on Google to find what is right there. That takes time when you come home late at night, to do my second full time job, which is please the Department of Safety & Inspections.

Moermond: I have to make a couple of recommendations to the Council. Additional time needed, and what kind of work plan is needed to get to that finish line. There is an appeal that will need to be timed out as part of that, which is reasonable. I'd like you to take the information you sent to Ms. Weise, continue copying her on that. We need to find out how long that review will take, and then any disagreement needs to be taken into account for State process. What decisions are you going to make and what

kind of timeline do we put on making those.

Skliris: I don't know how long it will take to untangle this bondsman with the contractor. Second, you understand my trepidation in submitting someone who is going to decide my case when they've been privy to this for a large part of the time. That is concerning.

Moermond: that would apply to Director Weise as well.

Skliris: she's in the highest chain of command.

Moermond: Mayor, Director, Building Official. Here's where I am going: can you provide a timeline about when you commit to have the appeal filed and what you are looking for. That is something I can use to do a layover here, then we can touch base and I can find out more about what kind of timeline to make a decision on that. I want to build this in. You don't want it to take longer than it has too, I'm in the same place. Do you feel like what you've submitted to Director Weise is a complete record, or simply statements? Those are fine, but the photos are evidence you'd likely want included. Not just for Mr. Ubl, but his record he has goes forward to the State. The completeness of the record you submit is critical. You have a lot of it together already.

Skliris: I can submit the appeal this weekend.

Moermond: you are committing to submit it by this weekend, the 17th. Monday is President's Day. I'd be happy if you have it done by Monday the 26th.

Skliris: I do have trial that day. It shouldn't take that long, my only concern, as I've noted twice, I'm submitting it to someone who is hopefully objective on that day and is willing to be fair. Yes, we'll try to have it done before the 26th. Should I copy any of you on that when I submit it?

Moermond: all we need is the cover form it has been filed. I don't need detail since I can't play a part in that decision-making and I don't want to muddy it by having it look like I could. Because I can't. Knowing it has been filed is the benchmark. I can then know that and ask Department of Safety & Inspections what their review timeline and process is. I want to create a record that a building code appeal has been filed, as the first step. Then we can figure out where we go next. You know I work in six-month increments. Hopefully this is done before then. You have decision points in all of this too.

Skliris: if the Certificate of Occupancy is issued between now and the six-month mark then I can disregard?

Moermond: oh heavens yes. We all can.

Skliris: we're at a fork in the road where either the appeal accepts these photos, or they don't.

Moermond: I don't know what the process is going to be. It could be those photos support your argument and they still want eyes on.

Skliris: who is going to pay for that? If they ask me to break tile?

Moermond: I'm so not there now. If I'm the Building Official in charge of the trades, and you show me photos, I may feel like I don't have a complete view on whatever it is. I

just don't want to say a decision could necessarily be made on all of the materials provided given the complexity. I don't know but wanted you to be ready.

Skliris: on that note. Building Official. 2018. Ok to sheetrock [shows photo of hanger] Ok to cover it, Mr. Skliris.

*Moermond: yes, and that's exactly the kind of thing we're talking about. I know.
Skliris: this is a pretty strong case.*

Yannarely: Mr. Ubl is a pretty reasonable guy and continuity-wise he's been around a long time.

Moermond: you may or may not be satisfied with his decision. You may think there's some other influence on it. Those decisions are in the future for you. He's not made any decisions at this point. I don't want to jump the gun. I want to let the process play out.

Skliris: where does it go at the State?

Moermond: Department of Labor, its on the bottom of the form. Let's get those forms filed. In two weeks we will update the record. Hopefully your electrical permit is finalized. You have the appeal filed and we are on to the next step.

Skliris: two things. It is troubling to have the person making the decision an earshot away from the person who has already made my life difficult.

Moermond: I hear what you are saying, but I will tell you that is what we have.

Skliris: they shouldn't be on the email train.

Moermond: and you shouldn't have talked to Jane Prince. You both know it since you are both sworn officers of the court.

Skliris: is there anywhere in the language saying that? You've said many times you're going to refer this to the City Council. She's a classmate of mine and in the City Council—

Moermond: and they're acting in a quasi-judicial capacity in reviewing this case. They would be issuing an order, the same as the district court issuing an order for something to be done.

Skliris: where are we in the appeal process? At what time did we start with the first tier? I'm just a homeowner and next thing I know I'm here in front of you trying to—

Moermond: this isn't an appeal process here.

Skliris: why is it ex parte then to speak to Jane?

Moermond: they are issuing an order as a court would issue an order. That is why. You don't talk to a judge when the judge is considering what they are going to do. She would have been acting as part of a panel of judges deciding whether to issue an order and under what conditions that order is issued. Not the same as an appeal.

Skliris: and I would say there that I knowingly did not know that she is a judge

deciding—

Moermond: she knew. It happened.

Skiris: she knew. I didn't. When I shared it with my colleagues across the street they were befuddled.

Moermond: great. You've said that before. I've always been clear on my role. Their role. We have a plan. We'll look at this again in two weeks and be able to set a clock. We can do that hearing by phone since we just have those couple benchmarks. I just need the cover on the appeal.

Skiris: the last issue, which is the elephant in the room, is that through this process I'm getting charged \$5,000 every year, times 8 years, \$40,000. That's a lot of money because I can't get in and homestead it because someone thinks it is going to be a bed and breakfast. In a few days, if I don't have the Certificate of Occupancy, there's another \$5,000 Mr. Skiris. This is mind boggling.

Moermond: understood.

Skiris: mind boggling. What can we do regarding that?

Moermond: we aren't having that conversation today. I don't have a Vacant Building fee appeal in front of me. I don't have a tax assessment in front of me. I am not engaging that right now.

Skiris: I pay the taxes.

Moermond: good.

Skiris: it's NOT good.

Moermond: I'm glad you are paying your taxes, Sir. That's what I meant. Let's not split hairs. It isn't in front of me.

Skiris: otherwise, I'm assessed another \$5,000.

Moermond: I can't talk about that \$5,000. I don't have a Vacant Building registration appeal in front of me, which would be the original bill. I don't have the special tax assessment in front of me to collect that fee. We already have a full plate now. I'm not going there today.

Skiris: what do I have to do after the deadline and there's another \$5,000 assessed?

Moermond: both the registration letter and the special assessment are appealable. It is stated in both those documents.

Skiris: take more time out of your schedule Mr. Skiris and show up and go appeal another \$5,000.

Moermond: you can do it online and by phone. We've spent a lot of time talking today. I know you have other business to undertake. We have a plan. Let's do it and figure out next steps when we get there. I'm trying.

Skloris: I know you are all tired but when we walk out this door, I'm going to get that extra \$5,000 assessed to my property.

Moermond: September is the anniversary date. So we're nearing assessment. That is appealable and we do them by phone. You would have received it in the mail.

Mai Vang: it went to assessment on October 3, 2023. February 6, 2024 was the hearing date. Do you want to reschedule that?

Moermond: when is the Council Public Hearing?

Mai Vang: March 27.

Moermond: so you didn't file an appeal on that for the hearing on February 6, which was last week. We could tackle it February 20, March 5, or 19th.

Skloris: the 5th is fine.

Moermond: if that doesn't work out, it wouldn't be the first time we pulled something from a roll and considered it in the future.

Skloris: perfect thank you, very good.

Laid Over to the Legislative Hearings due back on 2/27/2024

- 10 RLH RR 24-7** Making finding on the appealed substantial abatement ordered for 871 STICKNEY STREET in Council File RLH RR 23-21.

Sponsors: Noecker

The nuisance is abated and the matter resolved.

No one appeared

Supervisor Joe Yannarely: Code Compliance certificate has been issued February 6.

Moermond: nuisance is abated and the matter resolved.

Referred to the City Council due back on 3/6/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 11 [RLH SAO 24-1](#)** Making finding on the appealed nuisance abatement ordered for 763 WEIDE STREET in Council File RLH SAO 23-52.

Sponsors: Yang

The nuisance is abated and the matter resolved for all corrections on the property.

No one appeared

Moermond: we have communication from Inspector Westenhofer and everything has

been addressed including the extension items into the warmer weather. The nuisance is abated and the matter resolved for ALL the corrections on the property.

Referred to the City Council due back on 2/14/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 12 RLH VBR 24-8** Appeal of Paul Yang to a Vacant Building Registration Fee Warning Letter at 985 BRADLEY STREET.

Sponsors: Kim

Waive VB fee for 90 days (to April 21, 2024).

Paul Yang, owner, appeared via phone

Staff report by Supervisor Matt Dornfeld. May 15, 2023 appellant was approved by sale review department. Permits ongoing. No recent correction notices sent. The Vacant Building fee was due January 24, 2024.

Yang: I was supposed to get this done prior to the new registration date. Had a lot of life hurdles come up. If I was to get with this fee it would slow down my progress on getting this property back online. When I checked St. Paul's Vacant Building list, the \$4,900 is because it's a Category 3?

Moermond: no, the \$2,500 fee is for all Category 1 Vacant Buildings, which means those that are turnkey. Subsequent years it goes to the fee closer to \$5,000. You have a lot going on. Tell me where you are at with rehab?

Yang: all the big items are done. HVAC, roofing, it is mostly cosmetic work left and a new kitchen. We should be done in a couple of months, hopefully by summer.

Moermond: what I can do is put in a fee waiver for 90 days. That means no fee at all if you're done within 90 days, which starts January 21, that brings you to April 21. [Moermond explains special tax assessment process & appealing]

Referred to the City Council due back on 2/28/2024

- 13 RLH VBR 24-10** Appeal of Justin Gaarder, Rondo Community Land Trust, to a Vacant Building Registration Requirement at 843 and 845 SELBY AVENUE.

Sponsors: Bowie

Deny the appeal. Property to remain a Cat 2 VB and require a CCIR.

Voicemail left for Mikeya at 1:41 pm: this is Marcia Moermond from St. Paul City Council calling you again about your appealed tax assessment for 843-845 Selby Avenue. We understand you to be the person we would be talking too. We'll try reaching back in 10 or 15 minutes.

Tried calling Just Gaarder at 1:43 pm – unable to leave message.

Voicemail left at 2:29 pm: this is Marcia Moermond from St. Paul City Council calling you again, this is our second try today. We're going to call Mr. Gaarder and then wrap this up. I'm inclined to recommend the Council deny your appeal, but we can work with you down the line when it becomes an assessment on the property taxes.

Tried calling Justin Gaarder at 2:31 pm

Moermond: recommend denying the appeal. Council Public Hearing February 28.

Referred to the City Council due back on 2/28/2024

14 RLH VBR 24-7 Appeal of Olympia Haidos to a Vacant Building Registration Renewal Notice at 975 REANEY AVENUE.

Sponsors: Johnson

Deny the appeal but continue allowing permits to be pulled.

Olympia Haidos, owner, appeared

Moermond: Category 3 the Council gave 180 days on January 17.

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: this is a Category 3 Vacant Building, Council granted January 17, 2024. Not a nuisance property. I assume we're here to discuss the Vacant Building fee that is past due as of February 11, 2024.

Moermond: what is your timeline on the rehab? I can't recall off the top of my head what that looked like. Tell me more.

Haidos: we paid last year's Vacant Building fee and in July my electrician tried to get a new permit and was denied. Then the letter came out about seeing the building again. Mr. Zane came out August and saw the building and decided they wouldn't let us move forward. We had to go through that new Code Compliance Inspection Report, put down that \$5,000 deposit. It took from July to January to do all this. My appeal is, it took the City so long, nearly six months, and that was my worry from last time I was here was that I was going to have to pay that fee again. We've already applied for our building and electrical permit. The letter said no further permits will be issued without it being paid.

Moermond: lots of different things going on. The first is, you did have a team inspection in 2019 and those are good for one year. You applied for one more recently, but you didn't have anything current for last summer. They couldn't have used one several years old.

Haidos: they let us do an inspection in June. August of 2022 I had a new plumber apply for a permit and pass.

Moermond: I'm just stating the rules. I'm disappointed it took so long to be kicked out. You got the 180 days January 17. You will have a Vacant Building fee; the question is how much. You want to pull permits as fast as you can to get this whole thing done. This has been a Vacant Building since 2016 and you know time is money. You have a big incentive to get out from under this. I want that for you. Mr. Dornfeld can you put a note in the system that contractors can pull permits to work on this property without

paying the Vacant Building fee and we'll deal with that fee as part of the assessment process.

Dornfeld: I will send an email right now to make that notification in the system.

Moermond: your contractors can go in as soon as tomorrow to continue work. If you get any kickback, they should say there should be a note in the system that permits can be pulled. In terms of the Vacant Building fee, this covers from February 2024 to February 2025. There is a decent likelihood of being done before six months. We can talk about this as a special assessment and then I can look at prorating that fee, so if you are in the program four or six months in the Vacant Building program. We count from February 11. Hopefully we'll be able to prorate the fee. I can't do that today. You can pull permits tomorrow.

Referred to the City Council due back on 2/28/2024

Staff Reports

- 15 [SR 24-6](#) Reviewing request of Owner, Alex Delendik, to a Vacant Building Registration Notice at 827 AGATE STREET.

Sponsors: Bowie

Layover to LH February 27, 2024 at 1 p.m. for further discussion. PO to submit work plan for completing repairs by COB February 23, 2024.

Alex Delendik, owner, appeared via phone

Moermond: this is unusual in that we've heard from you and I thought based on what you were saying that there was potentially some conflicting information to be straightened out and we should confirm one way or another and give you a chance to attend a Public Hearing to speak to that. We got that follow up inspection so we have up to date information.

Staff report by Supervisor Leanna Shaff: a letter went out February 5. Fire Safety Manager AJ Neis and I went through the property February 1. We found a couple additional items. Upstairs on the second-floor front bedroom, the right window didn't open. Basement updating the dryer vent. The July photos show an accordion vent, it was replaced without permit with a straight and rigid pipe. My initial inspection the basement was quite dark and full of cobwebs with no light. This time the basement had been painted white. I'm guessing that above the washer and dryer the supply pipes were hanging down. After talking to senior plumbing inspector Erland, he said all the piping needs to be re-supported done by a plumber under permit. The central AC was inoperative. In the basement this time it looks like they filled the crack in the wall and painted over it, but we were able to see on the south wall the rim, the wood that goes above the foundation, the floor joists on the south side do not meet the rim. It isn't adequately supported. Mr. Delendik saw that and talked about getting an engineer. That would need a plan for repair. Front door threshold still rotted. Sloping issues on south side away from house. The handrail to the second floor is loose. That sums up our report.

Moermond: item 4 you talk about the central air being inoperable. AC isn't something that needs to be provided, so the fix would be removal of the system or fixing it. Removal would include what?

Shaff: the condenser and fan outside. It isn't required but if its there it has to work.

Moermond: 6 & 7 you talk about rotting exterior threshold, and then 7 is sloping away from building, noting the work MAY require a permit. Under what conditions does that require a permit?

Shaff: when you're changing massive amounts of soils, it would require a permit. This is between the sidewalk and house and it dips in, that's the same side as the failure with the crack and rim separation. It would be a whole package deal, a recommendation or fix according to engineer.

Moermond: so as part of item 5, the foundation item.

Shaff: yes.

Moermond: and that does require a permit. The engineering needs to be attached to a permit application?

Shaff: yes. They would come up with recommendations and fixes in a report with their licensing stamp, and that is submitted to building plan review, along with who is doing the work when the permit is applied for.

Delendik: I met Leanna Shaff on site. All the work that didn't need permitting was done already. Plumbing permit for dryer exhaust and pipe supports is with the City. Building permit along with an engineer report for the south wall is with the City. They told me they are on January 25 still today. I called before this. Everything that needed to be done is completed. The grading, I took photos, once we get onsite and warmer we will see which areas need to be adjusted. In the fall we replaced the gutters, so that's part of the reason why there's a slight slope towards the house. Even though it's minor I'll take care of it. HVAC usually gets a weather deferral I talked to him so he will make sure it is operable regardless of orders.

Moermond: the first, most important question, I'm asking today is whether or not the certificate would have been reinstated had the inspection occurred when you wanted it to have happened, which was on the Council's deadline day of December 4. The question is if you had your Certificate of Occupancy reinstated then, you wouldn't be in the Vacant Building program. As I understood your statements, she didn't come out, therefore I couldn't have had it reinstated, I should have had the opportunity to do so. So the February reinspection was to check the balance of the items in the original listing to see whether or not the Certificate of Occupancy would have been reinstated December 5 if it had been reinspected then. It isn't whether you are done with the most recent list, it is whether or not this should be in the Vacant Building program and subject to a Code Compliance Inspection Report. It is trying to address any mistakes made around December 5 and whether any miscommunication occurred around whether or not a permit was required around the retaining wall. I look back at the Fire Certificate of Occupancy order I was dealing with in October and those under appeal were issued in July.

Delendik: I purchased the property in October. When I appealed I got the results October 20.

Moermond: you inherit the orders that existed with the previous owner. My Lam was the one who filed the appeal, but it is still the same set of building conditions. One always

hopes seller and buyer are communicating clearly.

Delendik: I submitted the appeal for Mr. Lam. He was there for the hearing, I couldn't make it. And we got the results on October 20th, and we had 60 days from whatever. I think the major one was the retaining wall. That was permitted and cleared. All the other major orders were taken care of. The AC we provide a licensed HVAC contractor who usually take care of the whole system. If we need to bring in additional ones, I guess I will have to have them specify it even though I understood it was safety and after October they don't have the capacity to check that. But if I have to I will bring him again and make sure it's a warm day and jump start it and test and run it. We replaced the gutters. We replaced the joists but that wasn't originally on there. Decking was taken care of. The new list has majority newer items. I think the grading was in the old one. And the AC.

Moermond: the dryer vent also. A big one that concerns me is to provide access to all areas of the building. I'm wondering, the floor joists and their connection to the rim isn't something that happens in a short period. Is that an area to which access was provided?

Shaff: not since last July. I addressed the crack in the wall at that point in time. You can see it is concerning in those photos from July.

Moermond: so the foundation item 8 says in the August 28 orders says to provide foundation support to all areas. Patches failing, large crack interior south wall. That was an issue and you are saying here it wasn't repaired properly. What would "properly" have looked like? You described skim coating over the crack and paint over that. What is a proper fix?

Shaff: at the time I saw it last summer and I noted what I saw—it was dark, dingy, no lights, gray and dirty—noted the huge crack and it is quite apparent from photos it is concerning. When you look at the photos towards the front part of the house, east end, you can see the foundation top is pushed out. This time what had happened is it was painted white in the basement, and the lights worked, it became apparent that while the crack was filled in it showed a larger problem. Going outside, they stuck some mortar in the cracks but it was deeper than just filling in cracks. The joist ends were pulled away from the rim. It is a rock wall foundation and is pretty deep, with concrete masonry over it.

Delendik: what Ms. Shaff is saying is there are exterior items with coating falling off. We did tuck pointing on the exterior. It was reinforced 20 or 30 years ago, the previous repair built an additional secondary wall inside the house made of cinderblock to reinforce the original limestone wall. Because they did this, on the north side on the new cinderblock wall they are supported properly. The southern side, which wasn't originally on the work orders, we have found now the joists are no longer attached to the wall as it should be. Had they done the same work as on the north side, it would have been fine. I already did go to an engineer after our second meeting who told us we needed additional frame to support it. That's the repair that should do, we tuckpointed it and that's why we did the coating on the outside. That's what you do, fill them like a cavity. Now we have to deal with the frame to support the joists.

Moermond: what I would like to have from you before we go further is a work plan from you. The contractors. How much money it will cost and that its set aside for the work. How it fits together and under what timeline. I want to be 110% clear. Let's get this organized in once place and have an agreed upon plan by me, enforcement, and you.

Lacking that I see there is a shortfall that exists, and that is putting you in the Vacant Building program. If we're keeping you out we need to get these repairs done in an understood way. I'm going to lay this over a week.

Shaff: I'm out next week

Moermond: let's talk February 27 and if we can approve your materials before that I'm more than happy to do that.

Laid Over to the Legislative Hearings due back on 2/27/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 16 [RLH VO 24-6](#) Appeal of Matt Hursh to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 264 LAFOND AVENUE.

Sponsors: Bowie

Refer back to LH February 27, 2024 at 1:30 p.m. PO/tenant to have work plan submitted by COB Friday, February 23, 2024 prioritizing items 2,7,9,11,12,16-18 and 20, items 3-6 and 15 as second priority, and third priority to item 8 (as long as emergency egress windows remain working & accessible), 13, 14, and 19.

*Matt Hursh, owner, appeared
Shelly Tong, tenant, appeared*

Moermond: we talked week and the conditions were pretty bad. There wasn't a question in my mind that condemning as unfit for human habitation was an appropriate call. I've see vacate dates faster than this on things that were this bad. We wanted that follow up inspection and give a chance for things to get addressed.

Staff update by Supervisor Mitch Imbertson: I went out with Inspector Caballero, owner, and tenant yesterday. We sent an updated report with no reinspection date due to the appeal, additional items since we had some better access. Some items were added because we couldn't see the area before. The primary concern remains to be the sanitation and insect infestation. Originally there were inoperable sinks and toilets, they appeared to be working at all fixtures. There was a toilet that was capped off in a small bathroom, and it isn't required to be there so as long as it was done properly. It wouldn't have met current code regardless due to its small size. Sanitation is still very concerning. A lot of additional needs to be done in order to lift the condemnation. There was a large improvement, however. A lot has been done to clean and remove trash since we were first in there. Some storage was reduced and organized to allow some deeper cleaning. We did discuss cleaning expectation in this scenario wouldn't just be picking up trash but sanitizing surfaces, scrubbing buildup off walls and ceilings to remove discoloration and other contamination. That can't be done until enough of storage and trash was removed to do so. But we still need that to be done to lift the condemnation. We were told a treatment had been set up for insects but hadn't happened yet. We're just waiting for guidelines on additional timelines or actions.

Moermond: the conditions that led to the condemnation were still in place enough that you would still condemn the property?

Imbertson: yes. There was substantial improvement.

Moermond: but a long way to go. AS things were removed more things were identified.

Tong: pest control was out there today. He will come every week until they are gone. He is on his way there now. The plumbing was done

Hursh: I have a receipt from the plumber.

Tong: it wasn't a bad thing what happened because it forced the issue. It isn't done by any stretch of the imagination; I was under the impression it was the general cleanliness. Which to me meant get garbage out and floors cleaned and cat feces removed. That is gone.

Imbertson: there was some on the second-floor stairs and the basement yesterday.

Tong: we found that. The pest guy said this guy said its about 7 weeks to treat it all. Then I can paint after that. I want to get the walls scrubbed; I just didn't know that was necessary. I was more worried about floors and trash.

Moermond: inspector comes, this isn't the first case we've seen where something goes south between visits and the inspector has to issue these types of orders. Based on your progress I'd like to continue to work with you to get this back in good working order again. We have some priorities here. I won't own responsibility for putting together a work plan for you. I'll list the top items to be addressed, you come back with a work plan on how to get things done. Some are tenant things, some are Mr. Hursh things.

Number one is done. Contents being decreased, still condemned, and having too many? Is the volume still too much?

Imbertson: I think the volume is acceptable as long as it is organized. I don't think it's a concern at this point. The sanitation items, 2 and 12, and exterior item 7 and number 9 for treating infestation I would see as priority. 16 and 17 also pertain to that with orderly storage of material sand removing any excess materials. The partially disassembled mattresses I assume are being thrown?

Tong: no, those are replacing the ones upstairs.

Imbertson: if they're useable and stored properly it is fine. Number 18 is priority; we still need a CO2 alarm outside bedrooms upstairs and the one downstairs had stuff in front of it.

Tong: we've replaced all the smoke detectors.

Hursh: I think that's reasonable.

Moermond: I have questions about the orders on egress windows that don't open.

Tong: all the windows open and close.

Imbertson: all sleeping rooms had functioning windows. But almost all windows needed some repair. It isn't an emergency item but will take a while to address. We also couldn't get to all windows and didn't try some due to the insects.

Moermond: round one items #2 re neat and clean storage of content, relates to item 12. Number 9 we have treating for insects, starts today and needs to continue. We know you wont be able to do fully clean until the insects are under control. I'm concerned about the junk mattresses; insects can go in them.

Let's have you put together a work plan to address these items, knowing what my priorities are. Let's have that plan in by close of business Friday the 23. We will talk on the 27th.

Referred to the City Council due back on 2/14/2024

17 RLH VO 24-5

Appeal of Occupant to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 421 THOMAS AVENUE #1.

Sponsors: Bowie

Deny the appeal. Property must have its C of O reinstated or property vacated by March 1, 2024.

No one appeared

Voicemail left at 3:36 pm: this is Marcia Moermond from St. Paul City Council calling you about your appeal for the revocation for 421 Thomas Ave. We'll try back in 5 to 10 minutes.

Voicemail left at 3:44 pm: this is Marcia Moermond from St. Paul City Council calling you again about your appeal for 421 Thomas. The appeal stated you needed more time to vacate and find a new location. Original date was January 23, we are at February 13. I'll recommend the Council deny the appeal but grant an extension to vacate to March 1, 2024.

Referred to the City Council due back on 2/28/2024