



# 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*  
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*651-266-8585*

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Tuesday, May 7, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

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

##### Special Tax Assessments

- 1 [RLH TA 24-172](#) Ratifying the Appealed Special Tax Assessment for property at 308 EDMUND AVENUE. (File No. VB2407, Assessment No. 248806) (Public hearing continued to June 26, 2024)

**Sponsors:** Bowie

*Continue CPH To June 26, 2024. If permits closed and CC certificate issued, reduce assessment from \$2,616 to \$1,308, otherwise approve in full.*

*Joseph Drobac, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this entered the Vacant Building program November 3, 2022 after a fire. It started with the standard 90-day waiver. As of right now we're 1.5 years into the program. Total proposed assessment of \$2,616. Multiple open permits on the property.*

*Drobac: for the first six months I had a bad insurance person, she was a contractor who did nothing. She released \$40,000 but the estimate was \$83,000. She was fired and she took her laptop with her so the insurance had no notes. Six or 7 months later they started working with Rest Pro, they went very slowly. They failed multiple inspections, five or six times. I went to the City office because they never opened a plumbing permit, I think that is still waiting. Then they stopped showing up about 8 weeks ago and I can't get an inspection from the bank to give them their final money before I can hire new contractors. They have to send the bill for the electrician, HVAC. It has been a horrible experience.*

*Moermond: of course it has. How is it going with your insurance now?*

*Drobac: we have a new representative, he's been great. He's been signing off on everything. It is just Rest Pro.*

*Moermond: did you hire them right out of the gate?*

*Drobac: hired them the day after the fire. They are supposed to be a big company.*

*Moermond: so, they came in the day after the fire, you hired them, and it has been difficult.*

*Drobac: extremely. I'm still living in my bedroom because I'm hoping they would come back anytime to do something. Just to pass the inspections to get paid. They obviously are not coming back. And I can't get an inspection from the bank until they send the invoices, which they also don't want to do.*

*Moermond: I have just the Vacant Building fee today, and boy I hope things start to move along better.*

*Drobac: as soon as the bank comes in and I can cut the final check to Rest Pro then everything should be done within 2 or 3 months. Structural stuff is done, we just have to pass the inspections.*

*Moermond: I'm stuck with the situation where you went into the program November 3, 2022, that fee goes through November 3, 2023. This fee applies for November 3, 2023 through November 2, 2024. It is billed prospectively. We're already six months into the billable year. This has a Council Public Hearing June 26. 7.5 months into the year. If you are done by June 21, I'll recommend it is reduced by half. That's the most generous I can be.*

*Also, the date in front of Council is May 15, so I'll ask them to continue it to June 26. Let us know between now and then if your insurance is covering it, otherwise we can make it payable over 5 years over your taxes.*

**Referred to the City Council due back on 5/15/2024**

**2 RLH TA 24-188** Ratifying the Appealed Special Tax Assessment for property at 503 FRED STREET. (File No. VB2408, Assessment No. 248807)

**Sponsors:** Noecker

*Approve the assessment.*

*Trib Balbhad, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this was a Category 2 Vacant Building opened June 4, 2021 and closed April 2, 2024. This bill covers June 4, 2023 through June 3, 2024. 10 out of the 12 months. Total assessment of \$5,075.*

*Balbhad: when I first purchased the property it was never disclosed it was a Category 2. We have 3 months delay from when we submitted the offer to working with Robert Humphrey because I didn't know you needed City approval.*

*Yannarely: he does the sale review.*

*Balbhad: after the sale of the property, even the title company didn't find it was a Category 2.*

*Moermond: when did you buy?*

*Balbhadr: December 31, 2022. We had a 3-month delay with that trying to get my finance in line to submit to the City to get approved for the Category 2. There's no return in this transaction. I had to wait over 3 months for Robert to approve because it was never disclosed. I had to contract a few things out for repairs, and as far as the deadline we did work with Robert as far as helping us extend it. There was only so much he could do. The biggest thing is it was never disclosed it was a Category 2 property, otherwise I would have done my due diligence on what that entails. I took on more than I should, but it wasn't disclosed. We're talking about a major defect. That's where I'm coming from.*

*Moermond: what's your ask today?*

*Balbhadr: waive the fee, prorate it? Waive it since it wasn't disclosed.*

*Moermond: the TISH report does indicate it was a registered Vacant Building. The other thing is Robert Humphrey provided a waiver?*

*Balbhadr: not a waiver, he gave us 3 months to take it off of a Category 2 Vacant Building for the coming year.*

*Moermond: so, a waiver. He has no legal authority to do that. You benefited from him coloring outside the lines. I'm left holding the bag. It was in the program 10 out of 12 months. While I understand it wasn't disclosed, though it appears to be in the paperwork. Ultimately that disclosure is between the seller and buyer, the City isn't party to that. You should take that argument to that arena.*

*Balbhadr: I've tried multiple times.*

*Moermond: the public sector isn't in a position to make your books right because a private entity did you wrong. The Vacant Building program can't pay for the shortfall in the transaction. That isn't the way the law works. Now we are way down the line. I don't have a choice besides asking the Council to ratify this. We can make it payable over a few number years if that will help.*

*Balbhadr: I don't have bad intentions at all. There's other fish to fry here. This wasn't an easy thing. You understand where I'm coming from and the City's point of view. I truly think this outcome is ridiculous given the fact of what I had to go through. The title company should have caught this during their title search. No one wants to take liability for this. Working with Robert and everyone, great. Not an issue. But now at the end I have to pay another \$5,000? It is a slap in the face after being bounced around to so many different people. You say you understand? But do you? The title company should have caught this. The City of St. Paul, I didn't financially qualify, but they still checked the box—*

*Moermond: the City didn't sell you the house. The seller or your title company may have culpability. That's between you and them. There should have been a placard on the property, by law. They're there for a reason. I'm sorry you were given waivers when you shouldn't have been and we could have been talking about alternative approaches perhaps. I'm sorry you had to wait for a phone call for 20 to 30 minutes—*

*Balbhadr: you don't have to be sarcastic. This whole outcome from start to finish, it is truly a horrible real estate transaction. If this is how Category 2 transactions are handled, you need to have a different process.*

Referred to the City Council due back on 6/26/2024

3 RLH TA 24-178 Ratifying the Appealed Special Tax Assessment for property at 1087 JESSAMINE COURT. (File No. J2408B, Assessment No. 248107)

Sponsors: Kim

*Delete the assessment (due to lack of documentation of conditions when crew arrived).*

*Landon Taylor, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this was a boarding ordered by Matt Dornfeld, he sent a Summary Abatement Order December 5 to board the building. The work was done December 14 for a total assessment of \$1,124. It was later demoed by the owner in February.*

*Taylor: I'd like dismissal of these charges because Mr. Dornfeld didn't look to see there was a demolition permit pending or granted already. There were boards and 24-hour security on site. If he had cause to order the boarding, it was unfounded. When he did order it, the people who did the boarding pushed past my security and cut the locks on the 4-foot fence and I had to call the police to get the guy to leave. I have a police report. Had Mr. Dornfeld checked he would have seen there was work going on and no need to order the boarding.*

*Yannarely: Inspector Dornfeld's notes indicate:*

*12/07/2023:\*Recheck - House remained open to trespass - missing all windows and doors. Junk, refuse and discarded furniture in rear. No communication from property owner. No demo permit on file. Building Inspector Zane was at site last week and confirmed there was no demo permit on file. Issued work order to board over house due to imminent neighborhood danger as entire house open to trespass. Photos. ~MD*

*12/12/2023:\*Recheck - Spoken to and texted with PO. He adamantly contests work order to board up house, I explained scenario and the liability, and advised him to appeal board up assessment. House is to be wrecked in coming days; asbestos issues were the holdup apparently. Definite confusion with demo permit and process, Building Inspector Zane went to site and confirmed that there was not a demo permit on file prior to me issuing board up. I attempted to contact PO but no phone number or email on file, and PO was unresponsive to Summary Abatement Order that was mailed. ~MD*

*December 12 he spoke to property owner and he admittedly contested the boarding.*

*Taylor: he composed the order on the fifth and post marked it the 5th and I was to reply by the sixth and I didn't receive it until the 8th. There was no way to reply back in such a short time. The permit was granted November 23.*

*Moermond: you're saying he didn't try to get ahold of you?*

*Taylor: he didn't. He met with myself and my mother a year earlier and spoke with me and gave me his card.*

*Yannarely: I fail to see whether or not there is actually a pending demo permit or not negates the fact that an open building is still a nuisance condition. Whether or not it is going to be demoed in a week or not. It is still a nuisance.*

*Taylor: if there were no boards on the building it was because my workers were on break or it had to be left open for the abatement people to come for pests or asbestos. If my workers weren't there I had security there. When the boarding guy came my people were right there and I have photos of the boarding guy. If you look at the photos from the City the ones on the north side of the building the boards are on the inside of the building. Those are from MY people. The gray boards are the ones that Rest Pro put up and he only put up like six or eight boards; not however many he wrote in his billing. He over-billed the City. He didn't board it up, my guys did from the inside. The guy cut my lock. When my people told him not to and I had to call the cops to get him to leave.*

*Moermond: we can definitely check to see when that demo permit application arrived. It doesn't show as having been issued in November in the computer system. There could be a paper trail. I'll ask that if you have that information you can share that says something different than what is reported, that would help me. Also, you called the police. I'm not finding a police report.*

*Taylor: I have the officer's number. After I texted with Mr. Dornfeld he advised me to call Mr. Yannarely right after it happened. I explained to Mr. Yannarely what the situation was and he told me it shouldn't be an issue and we'd go through this appeal process. And now it is.*

*Moermond: I need to resolve this conflicting information to the best of my ability. You can send in any additional materials. I'll ask Mr. Yannarely to pull the information. Clint Zane is the one who is the building trades' inspector who manages building and demo permits for the Vacant Buildings in the City. We can find out more about what path that permit application took.*

*Taylor: I thought it was coincidental that the letter was in the mail during the only time I had to respond.*

*Moermond: that's deemed an emergency situation. You're saying I didn't have time to get the letter and he didn't call me. I have notes saying he did call and also put it in the mail. Again, conflicting testimony.*

*Taylor: Mr. Dornfeld only texts me. He won't ever speak with me personally; he never answers when I call. The St. Paul Police Department officer is Samantha Mancheski. 23-223-893.*

*Moermond: Joanna Zimny sent an email, and I will have her follow up with my recommendation. The Council Public Hearing is June 26.*

**Referred to the City Council due back on 6/26/2024**

**4 RLH TA 24-177 Ratifying the Appealed Special Tax Assessment for property at 1082 LOEB STREET. (File No. VB2407, Assessment No. 248806)**

**Sponsors:** Kim

*Reduce assessment from \$5,075 to \$1,750.*

*Edwardo Rikprashad, owner, appeared via phone*

*Moermond: I know you appealed early on and I said for Category 3's we don't do waivers. You were in the program 4.5 out of the 12-month billable year. Your anniversary date is October 2. I'll recommend proration of the fee. I'll cut it to \$1,750, little more than 1/3 the fee.*

*Rikprashad: I'm fine with that.*

*Moermond: the invoice will go out before the end of the month.*

**Referred to the City Council due back on 6/26/2024**

**5 RLH TA 24-165** Ratifying the Appealed Special Tax Assessment for property at 1971 NORTONIA AVENUE. (File No. VB2408, Assessment No. 248807)

**Sponsors:** Johnson

*Reduce assessment from \$5,075 to \$1,750.*

*Lenny Frolov, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this is a Vacant Building fee from November 22, 2023 to November 24, 2024. In the program roughly 4 months out of the 12 months.*

*Moermond: I'm thinking I'll go to a big more than 1/3 and recommend a \$1,750 reduction.*

*Frolov: I'm happy with that.*

**Referred to the City Council due back on 6/26/2024**

**6 RLH TA 24-190** Ratifying the Appealed Special Tax Assessment for property at 187 SEVENTH PLACE EAST. (File No. VB2408, Assessment No. 248807)

**Sponsors:** Noecker

*Reduce assessment from \$5,075 to \$3,400.*

*Greg Sofie, Atlas Group, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this Vacant Building fee covers August 5, 2023 to August 4, 2024. Within that period they got their Code Compliance certificate. March 5, 2024 it was closed. In the Vacant Building program 7 months out of the billable year. Total proposed assessment of \$5,075.*

*Sofie: I know we just paid about \$2,600. That was probably within the last month or so. Wasn't the fee like \$2,000 some for the year?*

*Yannarely: that was the old fee. The new fee almost doubled.*

*Sofie: wow.*

*Moermond: that's for buildings that have been in the Vacant Building program for more than a year. Yours is a Category 2. The fee goes up considerably when it is more than year. This has been in the Vacant Building program since 2008. That's the driver behind that fee level.*

*Sofie: we owned it, we sold it, and then repurchased it again. We always paid the fee because we didn't have much of a defense against it. Once we started doing the remodeling, the City was being pretty cooperative with me, and telling me if it was completed by such a date they had the authority to waive the fee. That's the basis of why I'm appealing. I don't have specific names. They said if it was done by the end of the year we'll just remove the fee. In my mind we did finish and we were ready for the final inspection mid-December. We did make a lot of attempts to get the City to come over and look at it to get the Certificate of Occupancy and Christmas is a bad time, lots of people out and calls weren't returned. I'm not being critical, but I did have to try people to see if they even still worked with the City. When we finally did get through there was confusion as far as what inspections had already taken place that the City didn't have record of. We were done, per what the City told us about removing the fee. We were done, we just couldn't get the City to come take a look at it.*

*We're just trying to control costs. We put hundreds of thousands of dollars into this. It was such a visible eyesore before. We made St. Paul look so much better in my mind, by fixing this up. I'm hoping that's worth something.*

*Moermond: I'm hoping it is worth something to you to have a building put back together again.*

*Sofie: won't be in my lifetime Marcia. That was meant as humor, sorry.*

*Moermond: it's been a Vacant Building since 2008. We're in year 16 as we talk. I appreciate the Department staff gave these waivers/extensions. They had no legal authority to do that. I am flummoxed about that situation.*

*Sofie: so, Marcia, maybe they didn't have legal authority but we did rely on it and taking the City at its word as to what we had to do.*

*Moermond: I understood. That was to have it signed off by the end of year. It looks like it wasn't.*

*Sofie: but through no fault of our own Marcia.*

*Moermond: I appreciate you're arguing that, but I'm not going to go with that. I think you've been in the business long enough and tried to schedule enough inspectors to know this isn't instantaneous. I get you wanted to meet the deadline. The best I can offer is to recommend the Council charge you for 2/3 of the year, down to \$3,400. If someone from Department of Safety & Inspections wants to speak to what was going on about inspections, or you do. Those inspector's names are on the permits. The initials on the waivers are the supervisors for those inspectors. I really cannot go lower than that recommendation.*

*Sofie: I'm really at your mercy. I'm feeling very wronged by it. I relied on what the City*

told us. I wasn't trying to call on December 30th to ask for inspections the next day. I was calling for weeks and weeks. I know things can't be done the next day, but I felt there was ample time to get them to come take a look and therefore not having to pay the fee. Joe, are you with the inspection department?

Yannarely: I am with Department of Safety & Inspections and I see they kind of went out of their bounds to give you these extensions.

Sofie: they were being cooperative and nice. Again, we relied on it.

Yannarely: and it didn't get accomplished.

Sofie: right, ok. Again, I'm saying through no fault of my own. We were in compliance. They were being nice, so I don't like being critical. They didn't say "give us a month to get over there to sign off". I just assumed since we were done, there were a few weeks before the end of the year, and I called to try and get them over. I relied on that information, whether they had the power or not. It is the voice of the City saying that to us.

Moermond: I've landed where I'm going to. Even if I took all of that at face value that's two months to get inspections scheduled. I am looking at a significant lag from beginning to end. I'm glad the project is done. The Council may look at things differently, and perhaps you have more information you will want to add.

Sofie: well, maybe I do. Let me ask you this. I was hoping for a little more cooperation from the City, Marcia.

Moermond: cooperation is kind of an odd phrase but keep going.

Sofie: what option do I have now? I just go appear to the Council and state my case directly to them?

Moermond: absolute, in person, appear by phone, or submit something in writing.

Sofie: how do I do that?

Moermond: the letter you got has specific instructions on that, but we can follow up with you by email about how to do that.

Sofie: and will I get something with your recommendation I can work off of?

Moermond: my recommendation is to reduce the fee to \$3,400 but we can restate that in an email too.

Sofie: I'm going to try to prove the case that I made numerous attempts and ample time to get them to come over and there was confusion on their part as far as what was performed.

Moermond: your best contact would be to have your general contractor identify the inspectors. Otherwise, I'd go to management and see if they—

Sofie: towards the end we were

**Referred to the City Council due back on 6/26/2024**



- 7      **RLH TA 24-169**      Ratifying the Appealed Special Tax Assessment for property at 468 THOMAS AVENUE. (File No. J2408B, Assessment No. 248107)

Sponsors:      Bowie

*Approve the assessment (noting it has already been paid).*

*Selam Hirpo, owner, appeared via phone*

*Hirpo: no one told me about this. I paid the \$224. I paid yesterday.*

*Moermond: we'll leave it at that and wish you a good rest of the day.*

**Referred to the City Council due back on 6/26/2024**

- 8      **RLH TA 24-195**      Ratifying the Appealed Special Tax Assessment for property at 575 UNIVERSITY AVENUE WEST. (File No. VB2408, Assessment No. 248807)

Sponsors:      Bowie

*Approve the assessment.*

*William Ratsamy appeared via phone*

*Tiffany Ratsamy, daughter of Peter, appeared via phone*

*[Moermond gives background of appeals process]*

*Tiffany Ratsamy: my father Peter is the owner of the 575 LLC, but my brother William is doing the bakery.*

*Staff report by Supervisor Joe Yannarely: this commercial building entered the Vacant Building program August 8 of last year, after the revocation of the Certificate of Occupancy. The total proposed assessment of \$2,616.*

*William Ratsamy: what were the dates?*

*Y: August 8, 2023 through August 7, 2024. 9 months into the billable year currently.*

*Moermond: we've already done 5 months of fee waivers. What's going on?*

*William Ratsamy: we feel we shouldn't be required to pay the fee because a majority of this period is because we were waiting on the City to approve the plans and permits, making the building vacant. We submitted our application August 1, 2023 and received it back finally December 1, 2023. It looks like almost 4 months of this period it was vacant but were also planning and designing the space. March 29 through November 14, I'm confused on the dates you provided.*

*Tiffany Ratsamy: yes, could you clarify that? We received multiple letters, and they don't correspond with the date you gave us.*

*Yannarely: it went into the program August 8, 2023.*

*Moermond: we've had this conversation about how the ventilation system needing some additional information. Does that sound familiar Ms. Ratsamy?*

*Tiffany Ratsamy: it's been a while.*

*Moermond: the finish line of getting out of the Vacant Building program is getting the Certificate of Occupancy. That's the goal here. What is your end game? How far are you from getting that?*

*William Ratsamy: he said we were on track to complete next month, in June.*

*Moermond: I think the current years' Vacant Building fee is going to go through with recommendation for approval. You have already had a 5-month waiver to get this off the ground. I don't see you have any other Vacant Building fees forthcoming based on your schedule. I know it took a while to get out of plan review, but I also know there was back and forth information in that process to get more information. That is how that process works. Yours wasn't a simple building, it isn't anyone's fault, it was just more complicated than average. You can of course ask for a different outcome from Council.*

*Tiffany Ratsamy: we were hoping for a complete waived fee or a discount.*

*Moermond: I'm sure you were but I can't see my way clear to do that.*

*Tiffany Ratsamy: and that's because of the Fire Certificate of Occupancy?*

*Moermond: yes, and the complicating factor is there was a 5-month waiver already and by the time you're out you'll be in the program 11 out of 12 months. I've never recommended a waiver of that magnitude. The Council may see it differently, but it isn't something that comes from me.*

*Tiffany Ratsamy: the building has to be up to code to get the Certificate of Occupancy?*

*Moermond: yes, permits finalized.*

*Tiffany Ratsamy: if it is under construction, it can't happen, right?*

*Moermond: yes, it would still be in the Vacant Building program.*

*Tiffany Ratsamy: to be honest it just sounds like the City just wants to get money. We weren't trying to be negligent. We're just trying to improve the neighborhood, but we're being slapped with all these fees. It makes sense, but not, because what could we have done if we were under construction, you know?*

*Moermond: you want me to say the City is trying to get money out of this. If that were the case, I wouldn't have recommended 5-month waivers. I never do that. I recommend three months max. I met with you in the hall and saw my way clear to recommending another 60 days, from my perspective. This is the cost of running the Vacant Building program. I don't know what other fees you're talking about. Permits fees are something that everyone else experiences whether it is a Vacant Building or not. If I'm having a new water heater installed, I have to pay for the permits. That's the nature of improving a property. It costs money to send out an inspector. I'm not trying to pick your pocket on this. I'm sorry if it feels unfair. Running the Vacant Building program isn't free and the fees recover part of the cost of the program. I'm not hearing there have been any problems at the property, which is the fantastic. This is the average cost across all the*

buildings in the program. The Council may look at it differently, and that is your next stop and is totally fine. My recommendation is to approve the assessment in whole.

Tiffany Ratsamy: thank you for your explanation about the program. I was unaware of that.

Moermond: if it is helpful I can recommend the Council make it payable over a couple of years. You can let us know your preference.

**Referred to the City Council due back on 6/26/2024**

**9 RLH TA 24-192** Ratifying the Appealed Special Tax Assessment for property at 198 GRANITE STREET. (File No. VB2408, Assessment No. 248807)

Sponsors: Bowie

Approve the assessment.

Gil Kiekenapp, owner, appeared

Moermond: you're living elsewhere now?

Kiekenapp: yes at Lion's Court, a senior facility.

Staff report by Supervisor Joe Yannarely: it entered the Vacant Building program November 7, 2023 after a St. Paul Police Department referral who said it met the criteria of a Category 2 Vacant Building. The total proposed assessment is \$2,616. No code compliance requested as of yes.

Moermond: what are your plans for the house?

Kiekenapp: I'm 88 years old this year.

Moermond: congratulations.

Kiekenapp: good things from my mother, she lived to be 95. I get so many things in the mail [lists health issues] and I can't read it. I'm on the County rolls for assistance. My only income is Social Security. \$140/month. I don't have a lot of money to spend. I was told to ask about a waiver of the fee. My plans house, the house is unlivable. Drains don't work. Hole in the roof. It has never had a furnace. It has a large gas space heater in the dining room, which has stopped working. Once I get my antique furniture out it will probably be torn down.

Moermond: sounds like it may be a candidate for that. Today's Vacant Building fee it seems like your concern is about money leaving right now, as opposed to coming out of the house. You don't have a lot of income; you're living on assistance. Do not write a check to pay this fee. If it goes unpaid it goes onto the property taxes. You'll have time to figure out the property taxes. That is less pressing than if you try to tackle it now. It could be the house is sold or demolished, but then it doesn't come out of your income you use to take care of yourself. That's the smarter way to go with this. Doesn't sound like there's any question of the house being livable. It does belong in the Vacant Building program.

I did take the liberty of reaching out to Veteran's Services, since you told Mai Vang you were having trouble getting ahold of your case workers. They are going to look

around and see if they can be of any assistance. I can give them your information if that's ok?

Kiekenapp: that would be wonderful.

**Referred to the City Council due back on 6/26/2024**

### 10:00 a.m. Hearings

- 10     [RLH TA 24-151](#)     Ratifying the Appealed Special Tax Assessment for property at 765 EDGERTON STREET. (File No. CRT2406, Assessment No. 248205)
- Sponsors:**     Jost
- Reduced from \$864 to \$597.*
- Voicemail left at 11:28 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessments for 765 Edgerton & 242 Maria. We'll try reaching back in 10 minutes or so.*
- Voicemail left at 11:53 am: this is Marcia Moermond from St. Paul City Council calling you again. For 765 Edgerton, the Department is requesting a decrease down to \$597, deleting the no entry fees. The same situation with 242 Maria, no entry fees were assessed, which brings that assessment down to \$579. The Council Public Hearing on this is May 15. if you want to contest the information on doing so was included in the notification for your Legislative Hearing.*
- Referred to the City Council due back on 5/15/2024**
- 11     [RLH TA 24-149](#)     Ratifying the Appealed Special Tax Assessment for property at 242 MARIA AVENUE. (File No. CRT2406, Assessment No. 248205)
- Sponsors:**     Johnson
- Reduce assessment from \$757 to \$579.*
- Voicemail left at 11:28 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed tax assessments for 765 Edgerton & 242 Maria. We'll try reaching back in 10 minutes or so.*
- Voicemail left at 11:53 am: this is Marcia Moermond from St. Paul City Council calling you again. For 765 Edgerton, the Department is requesting a decrease down to \$597, deleting the no entry fees. The same situation with 242 Maria, no entry fees were assessed, which brings that assessment down to \$579. The Council Public Hearing on this is May 15. if you want to contest the information on doing so was included in the notification for your Legislative Hearing.*
- Referred to the City Council due back on 5/15/2024**
- 12     [RLH TA 24-170](#)     Ratifying the Appealed Special Tax Assessment for property at 695 OHIO STREET. (File No. 2406T, Assessment No. 249005)
- Sponsors:**     Noecker
- Recommendation forthcoming pending staff review of stump location.*

*Daniel Witucki, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Forestry Supervisor Karl Mueller: September 1, 2023 we issued orders for 3 trees. 25" in back yard, 17" and 14" inside front yard. All 3 infested with EAB. Compliance date of October 2, rechecked October 20. No work done. The contract was given to BJ Haines who did the work January 18, 2024 for a total assessment of \$4,026.67. I didn't hear from anyone about extensions or anything like that.*

*Moermond: why are you appealing Mr. Witucki?*

*Daniel Witucki: the first notice I got was pink posted on the building, that was the first I heard about the tree period. My wife tried to call around to get estimates. She spoke with Mr. Mueller in December. We were contracting with Matt Molinarist to remove them. We were going to have six trees removed total. We were under the impression everyone was aware we were working on it. The Arborist scheduled Xcel to drop the lines for 3 houses to remove the trees. He showed up December 14 with Xcel to do that, found out there was some problem so it was rescheduled to after the Holidays. Next thing I knew, these trees were gone. That's where we're at. The one big tree in the back yard, part is on the neighbor's property from my understanding. That's my view.*

*Moermond: Ramsey County has your address as 566 Orleans. Is that right? That's where the notice went.*

*Daniel Witucki: that's correct.*

*Moermond: so, Parks sent their notice to the tax owner with the County. Not sure what happened there.*

*Mueller: we did send the letter to that address. I didn't see any returned mail. It was sent on or around September 1.*

*Moermond: you also spoke to a contractor, what is your ask today Mr. Witucki?*

*Daniel Witucki: I guess I'm not sure. I'm kind of upset we spoke with Karl in December. Had it scheduled to do. He was going to do six trees plus trimming for \$6,000. That's \$1,000 a tree. The City sent me a bill for \$4,000 for 3 trees. I don't understand how it happened, I felt we had communication. The first I heard was the pink notice in October or November. Certainly, I had it scheduled to do much cheaper.*

*Moermond: how does the City charge the rates it does?*

*Mueller: we have two contractors and they both go out to do a bid, and I gave the contract to the low bid. That's how that price came about.*

*Moermond: I hear you want the assessment decreased, and I'm struggling with the reason to do so.*

*Mueller: I don't recall getting a call about them doing the trees. I have no record or recollection of that. I've spoken to Dan before about another property on Grand. Maybe last year.*

*Daniel Witucki: that was for a commercial building there. My wife spoke with you. I'm*

*not trying to blame, but from our perspective we did talk to you and never received any other communication or deadline after that. We had a guy show up with the power company. We thought we were all on the same page.*

*Wife: it was probably more November when I spoke with you Karl, you said they do the timing based on the season. If it isn't done by December it would be spring. You said we could hire our own arborist to do it, but you also said we would get notice before someone came out to do it so we had a heads up.*

*Mueller: I'm sorry, I deal with a lot of properties. When I hear that, I do usually note it in my documentation about an extension, and I don't have a record of that. I usually would do that. I don't recall that conversation, I'm sorry.*

*Daniel Witucki: we do like Karl, but somewhere some wires got crossed. I don't feel like we could have been done anymore. There's no way to take a tree like that out in 5 days. It required the power company. It was a big deal. Part of that tree is on the neighbor's property too. It would have cost me about \$2,000 versus about \$4,000.*

*Moermond: does the stump still exist?*

*Mueller: yes.*

*Moermond: Mr. Mueller, when you have this type of conversation do you say the City reaches back about when they'd be coming. Does that mean someone will call me about when the crew would show up?*

*Mueller: it isn't the City's responsibility, once the contractor gets the contract their job is to notify the homeowner, especially if there is a line drop, since their power would be interrupted. I don't know if that happened; I can talk to them. The communication is in their hands. We work with them on any complications, access problems things like that. Typically, it is all in the contractor's hands as far as communication.*

**Referred to the City Council due back on 6/26/2024**

- 13 RLH TA 24-171** Ratifying the Appealed Special Tax Assessment for property at 300 BROADWAY STREET. (File No. J2406P, Assessment No. 248405)

**Sponsors:** Noecker

*Delete the assessment.*

*Moermond: the order was blank therefore the Department is requesting this is deleted. So recommended.*

**Referred to the City Council due back on 6/26/2024**

- 14 RLH TA 24-193** Ratifying the Appealed Special Tax Assessment for property at 315 PIERCE STREET. (File No. 2406T, Assessment No. 249005)

**Sponsors:** Jalali

*Delete the assessment.*

*Moermond: the order went to the correct owner, but the tax assessment was sent to the wrong PIN, so the assessment is being deleted and reassessed to the correct address, who got the order to begin with?*

*Forestry Supervisor Karl Mueller: yes. It was one number off.*

**Referred to the City Council due back on 6/26/2024**

- 15 RLH TA 24-176** Ratifying the Appealed Special Tax Assessment for property at 355 GERANIUM AVENUE EAST. (File No. J2408E, Assessment No. 248307)

**Sponsors:** Kim

*Delete the assessment.*

*No one appeared*

*Moermond: we had previous appeals no this with discussion that this would be deleted. So recommended.*

**Referred to the City Council due back on 6/26/2024**

- 16 RLH TA 24-180** Ratifying the Appealed Special Tax Assessment for property at 1223 MINNEHAHA AVENUE EAST. (File No. J2408E, Assessment No. 248307)

**Sponsors:** Yang

*Delete the assessment.*

*No one appeared*

*Moermond: order and work order were referencing the wrong property. 90% of the problem existed on one property but the order went to the other property. So recommend deletion, per that request from the Department.*

**Referred to the City Council due back on 6/26/2024**

### **Special Tax Assessments-Rolls**

- 17 RLH AR 24-36** Ratifying the assessments for Collection of Vacant Building Registration fees billed during March 29 to November 14, 2023. (File No. VB2408, Assessment No. 248807)

**Sponsors:** Jalali

**Referred to the City Council due back on 6/26/2024**

- 18 RLH AR 24-37** Ratifying the assessments for Securing and/or Emergency Boarding services during December 2023. (File No. J2408B, Assessment No. 248107)

**Sponsors:** Jalali

**Referred to the City Council due back on 6/26/2024**

- 19 RLH AR 24-38** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during December 21 to 22, 2023. (File No. CRT2407, Assessment No. 248206)
- Sponsors: Jalali
- Referred to the City Council due back on 6/26/2024
- 20 RLH AR 24-39** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during October 23 to November 21, 2023. (File No. J2408E, Assessment No. 248307)
- Sponsors: Jalali
- Referred to the City Council due back on 6/26/2024
- 21 RLH AR 24-40** Ratifying the assessments for Graffiti Removal services during November 21 to December 8, 2023. (File No. J2406P, Assessment No. 248405)
- Sponsors: Jalali
- Referred to the City Council due back on 6/26/2024
- 22 RLH AR 24-41** Ratifying the assessments for Removal of Diseased and/or Dangerous Tree(s) services during January 2024. (File No. 2406T, Assessment No. 249005)
- Sponsors: Jalali
- Referred to the City Council due back on 6/26/2024

### 11:00 a.m. Hearings

#### Summary & Vehicle Abatement Orders

- 23 RLH SAO 24-27** Appeal of Annette Ebelhar to a Vehicle Abatement Order at 408 HAZELWOOD STREET.
- Sponsors: Johnson
- Grant to July 15, 2024 for compliance with orders, noting one parking space may be maintained if gravel refreshed and boundaries clearly established. If expansion of parking area sought, must go through site plan review.*
- Annette Ebelhar, owner appeared via phone*
- [Moermond gives background of appeals process]*
- Staff report by Supervisor Lisa Martin: we have a Vehicle Abatement Order issued for 2 vehicles parked on an unimproved surface. Photos are attached. There is probably one gravel area for one vehicle in the past, by looking at stamp. Not for two.*
- Ebelhar: I would agree with that. When I got the Vehicle Abatement Order I got both*



*the Dodge and the Buick. The Dodge is parked on gravel. 34.08 of City Code does say gravel counts as a surface I can use. That's why I'm wondering the Dodge is on the Vehicle Abatement Order.*

*Moermond: is that your only question?*

*Ebelhar: yes.*

*Moermond: it was probably done because if you to were repair or replace the surface it would have to be with asphalt moving forward, not class 5. That doesn't mean you can't fix up preexisting gravel. You can maintain the area you have in class 5. That's what I'm seeing, is you have rough edges and maybe some growth, weeds and such coming out so a fresh toping with clean borders would make it acceptable. That's more a correction order than a Vehicle Abatement Order, but we can handle it. I agree the Dodge is on an ok surface, but I'd like to note it is the Buick that shouldn't be parked where it is. I'd like you to get that surface squared away which would be more affordable option.*

*Ebelhar: I can't afford to have it paved. I could get new gravel.*

*Moermond: my ask is you clean it up with additional class 5, remove the weeds, square up the boundaries. You've done a refresh or repair. I understand dollars are tight, it is reasonable to say you could have it done by July 15. A couple months for you to do it. If you want to expand to where the Buick is you'd have to go through plan review and talk to them about expanding the surface area.*

**Referred to the City Council due back on 5/22/2024**

## 1:00 p.m. Hearings

### Vacant Building Registrations

- 24 [RLH VBR 24-28](#) Appeal of Franchesca Vann-Wickstrom to a Vacant Building Registration Notice and Summary Abatement Order at 705 DAYTON AVENUE.

**Sponsors:** Bowie

*Layover LH May 28, 2024 at 1 pm. Code Enforcement staff to reinspect to abate or update items on orders.*

*Franchesca Vann-Wickstrom, occupant and administrator of estate, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Mitch Imbertson: we have as a one-unit property, previously owner occupied and not in the Fire Certificate of Occupancy program. We became involved after a referral from Code Enforcement, allegedly gross and unsanitary with multiple animals in the property (per animal control). Inspector Thurner was unable to get in, issued orders for access and to obtain a Fire Certificate of Occupancy. That was based on he was showing the listed owner to be deceased and were given the appellants name as Responsible Party for the property since the owner of record was no longer living there, to be legally occupied it needs a Certificate of Occupancy.*

March 21 there was a second notice sent, rescheduled to allow more time based on the inspector being told we were waiting for transfer of the deed. When he was back out on the reinspection it hadn't been registered for a Certificate of Occupancy and didn't appear to be occupied at the time, so the referral was made to the Vacant Building program. That was on April 1.

Staff report by Supervisor Matt Dornfeld: I personally made it a Category 2 Vacant Building April 2, 2024 per that referral report. At the time of my inspection the property did appear to be occupied, however I didn't make contact on my first inspection. There appeared to be a large dog in the window and some junk out back. I did issue a Summary Abatement Order for that stuff and to secure the garage since it was going to enter the Vacant Building program. My follow up recheck April 10, 2024 I was able to make contact with an occupant. I didn't receive his name; I do have a physical description. There was a large dog accompanying him at the door and a cat waiting for me on the front steps. Definitely occupied. I advised the occupant about what was going on. He disagreed. Was cordial and I advised him to file this appeal. I think it took some time to do so. I have received a few neighborhood complaints, people are curious about what is going on, why it remains occupied but is in the Vacant Building program.

Moermond: Theodora C Vann is the owner and now deceased?

Vann-Wickstrom: that was my mother. She passed April 21, 2022.

Moermond: is this property in probate? Did she have a will?

Vann-Wickstrom: it was messy, it happened quickly after a cancer diagnosis. We called SMRLS, I was deemed to do everything and we were told by the lawyer we didn't have to take anything to get notarized. She assumed her pension and her money would follow to me, so she willed the house to me. But we found out after she passed it doesn't go like that. My niece had come to visit---

Moermond: Theodora is your mom. You are the informal estate representative, unless we have something from Court saying you are.

Vann-Wickstrom: I am formally as of April 2. I had my court date.

Moermond: Marco Durell Bastian—

Vann-Wickstrom: no. He is my niece's husband's little cousin. Tiffany C Vann-Brinkley.

Moermond: so, he's the cousin of her husband?

Vann-Wickstrom: yes.

Moermond: and her husband

Vann-Wickstrom: Jarmel Brinkley.

Moermond: Jordan is your daughter.

Vann-Wickstrom: yes ma'am. Matt talked to my husband, Isaac Garland Junior, but he has no claim to the property.

*Moermond: tell me what is going on.*

*Vann-Wickstrom: last March my sister, we're 15 years apart, Jacqueline Vann, we did a transfer of death deed when my niece was up here. We just found out we needed to have a clearance certificate through John Rominski. For it to actually go into niece's name. She was going to refinance the loan because she had a housing voucher, but there were only a few years left on the mortgage so we decided the ones staying there could live there as long as they paid the bills and took care of the property. That was Jacqueline Vann, Starr Antoinette Vann Jackson, and her spouse Sidney Owens. I found out last May they just stopped paying anything. My sister stabbed her boyfriend and went to jail last March. He passed away. So, my niece Starr and Sid reached out saying they couldn't handle the bills, who could move in? At the time me and my family were looking to move anyway, so we moved back to 705 Dayton May of 2023. Everything was going fine, I was told by Starr and Sid they would move out the end of May, and they never did. We were going to split the bills. July of last year my niece Tiffany Vann had her house condemned, she has four children. They took Marco. 11 dogs, a cat and a snake. I allowed them to move into the property because I was told my Tiffany she would move out within a couple of weeks. That turned into months, they were destroying the house, the animals are out of control, her kids were messy. I was going to process eviction. I spoke to my niece Imani, in the Air Force in Charleston.*

*When we first had this happen, Imani reached out to Mr. Thurner, because we thought she was the owner. She said she was in the air force and he let it go then. Then suddenly two months ago I hear from him again.*

*January 29 there was an incident. My daughter had just returned from NC. We just got home from a celebration. My daughter comes running down the stairs saying Marco is beating up his girlfriend. I told her to ignore them. Then we hear a big boom. There's a glass door at the entry, Marco's minor girlfriend had come back with her father and brother and were about to fight a bunch of people in the house. My husband and I go out to diffuse the situation. My husband is almost 50. We had a couple of drinks for our anniversary. Every time he asks the mother, brother and beat up daughter what happened my family just got loud trying to avoid them telling him. Finally, the little girl told him about Marco physically assaulting her. My family is in the entryway with me. My husband said Marco, you have to go. All H\*ll breaks lose. My nephew kicks in the door. I had called the police by then. Jarvis comes in and basically assaulted my husband. My husband was trying to restrain him. I get Jarvis out of there. Tiffany is standing in the doorway, had a gun. Police finally come. That's why there's order for protections. They left all the dogs, the cat, the snake. They damaged the house. We went through court stuff. We were sleeping in the car, the hotel. I had to let my daughter stay with family so she wasn't exposed to this. She's been there since January. Cleaning up at gas stations. I haven't been able to work. They were stealing my mail.*

*The house is boarded now because March 21 I came home from the ER, my husband starts saying that Marco had climbed through the window with a knife. Jamel was outside orchestrating the whole thing. I'm wrestling this young man. I had to serve the eviction notice. I got Marco evicted effective March.*

*Moermond: did he leave?*

*Vann-Wickstrom: we couldn't find him. Had an OFP put into place. Last Wednesday it went into effect because they couldn't find him to serve him. March 21 when he came*

through the window while the police are there and they're watching me wrestle this young man. I pulled out some of his hair. We were told we needed to leave, so my husband, me and our one dog. The St. Paul Police Department is standing there why we're being berated by Jamel, Tiffany, Tiana, and Marco all yelling and calling me names. They busted every one of my mother's windows on the first floor, and the big glass door going into the house. They left dog feces in every part of the yard. That's cleaned up now. They trashed the house. We are still working on cleaning it. That's why the windows are boarded. I haven't been able to work since December due to my health. This is what is going on. They steal the mail. That's why I wasn't getting the Summary Abatement Orders, why I wasn't responding.

Moermond: if the windows are broken the City has to board them.

Vann-Wickstrom: we boarded them. They are jealous because Imani Vann-Jackson, my niece, signed the house over to me. She doesn't want anything to do with any of this anymore. IT is still going on. I have child protection on me because of this.

Moermond: do you have with you the documents making you the representative of the estate?

Vann-Wickstrom: yes, I gave them when I filed the appeal.

Moermond: I see a quit-claim deed from Imani to you.

Vann-Wickstrom: and I just got the clearance from John Rominski to record the deed.

Moermond: Mr. Dornfeld were you apprised of any of this?

Dornfeld: there was a lot there Ms. Moermond. I guess I certainly sensed there was some stuff going on. I didn't quite realize the magnitude.

Moermond: what I'm concerning myself with is who is the estate rep or in control of the property. It is you; it is quite recent. It looks like it followed the day after it went into the Vacant Building program. What I know is that when the property was not owner-occupied, or a legal rep of the estate, the Certificate of Occupancy wanted to do an inspection and couldn't get in to do that. When an inspection did occur, some significant violations were found.

Imbertson: it sounds like when inspector Thurner saw it, it was right after the eviction.

Moermond: so, we have these things identified. We have you being formally appointed to represent. We need to clear the orders on the conditions that did exist, whether or not it is owner occupied. That needs to be addressed. These seem to be violations that these aren't physical issues with the building, outside of the boarded windows, the gross unsanitary seems to be the worst thing.

Imbertson: I agree with that focus.

Moermond: what's the deal with the windows now?

Vann-Wickstrom: my uncle is helping and I reached out to a few programs but it can't be condemned and has to be in my name. I have someone coming to do an estimate for the ones that are completely broken.

*Moermond: I'm asking because you have to be able to be able to get out in a fire. St. Paul Police Department or the St. Paul Fire Department have to be able to get in. I'm particularly concerned about sleeping areas.*

*Vann-Wickstrom: those are not boarded at all.*

*Moermond: can there be a limited amount of time to deal with proper windows installed? Yes. But not a long leash. I'm not opposed to it being out of the Vacant Building program, but it seems some orders need to be cleared.*

*Imbertson: if everything is in order and ultimately ends up as owner occupied the typical procedure would be to transfer to Code as follow up, but it doesn't sound like everything is processed for that yet.*

*Moermond: I think it is with the most recent documents from April 24.*

*Vann-Wickstrom: we have one dog registered to this home. All the dog feces is cleaned up. They broke our lawnmower and everything, but we got the lawn mowed. I have to replace the glass in the storm window.*

*Imbertson: I think it should be sent back to Code Enforcement.*

*Moermond: call Lisa Martin right away tomorrow morning to get an inspection. They may find a life safety issue. I'm looking for a decent bill of health on this place. If there are remaining items I need a plan put together to address any remaining items. I anticipate you'll get out of the Vacant Building program. We need an inspector to confirm the items making it condemnable are addressed. We'll flag it for Ms. Martin. We'll talk again May 28, you may not need to come down.*

**Laid Over to the Legislative Hearings due back on 5/28/2024**

**25 RLH VBR  
24-29**

Appeal of Shai Leibovich and Carolyn Brown to a Vacant Building Registration Renewal Notice at 140 ISABEL AVENUE EAST.

Sponsors: Noecker

Waive VB to June 10, 2024.

*Shai Leibovich, BPH Homes, appeared via phone  
Carolyn Brown, property representative, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Mitch Imbertson: no recent Fire Certificate of Occupancy involvement, it was a referral from Fire back in 2021. We ordered it vacated.*

*Staff report by Supervisor Matt Dornfeld: this is a renewal notice for a Category 2 Vacant Building, opened May 21, 2021. They have a Code Compliance and permits. Rehab ongoing. No recent nuisances. New fee due May 21, 2024.*

*Leibovich: we applied for a new Code Compliance a few months ago, the previous one expired. We pulled new permits. Some should be closed. Plumbing is being inspected Thursday. Electrical is today. We may not be able to finish by the end of the month, I just would like a few more days grace and not be fined \$5,000.*

*Moermond: your renewal date is May 21. You'll have your permits closed within 30 days of that?*

*Leibovich: yes.*

*Moermond: I'll recommend a 30-day waiver, fee waived through June 10, 2024.*

**Referred to the City Council due back on 5/22/2024**

## 1:30 p.m. Hearings

### Orders To Vacate - Fire Certificate of Occupancy

- 26 RLH VO 24-17 Appeal of Patricia Whitney for Luke Nilles to a Fire Certificate of Occupancy Revocation and Order to Vacate at 891 IGLEHART AVENUE.

**Sponsors:** Bowie

*Grant appeal relating to units 2 and 3 lifting revocation and order to vacate, and grant to July 1, 2024 for reinstatement of Fire C of O for unit 1 or unit must be vacated.*

*Luke Nilles, owner, appeared*

*Patricia Whitney, attorney, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Mitch Imbertson: 3 unit residential building. Inspector Thurner did a renewal inspection with an appointment letter back in November 2022. There were a number of trips to the property to get access at first, and then reinspections. In June 2023 we also received a complaint in the middle of the inspection process that brought a few additional items to our attention. A few items come and go from the lists from 2022 through now. More recently we've been trying to do reinspection but been repeatedly rescheduled and cancelled due to ability to get into the property to do maintenance. Correspondence from Luke and one of the tenants who copied us, we are aware of dispute about allowing access to unit 1 for repairs. The Property manager intends to do the repairs and doesn't dispute the items on the report, but the tenant has been complicating things by not allowing access to do the repairs. We've been trying to remove ourselves from the Civil dispute between tenants and landlord, though we're aware of it because of being copied on emails from both sides. This came to a revocation and order to vacate due to long-term noncompliance. We were unable to accommodate any further extensions without a specific work plan or getting into the property to do the repairs. There are no items standing out on the report to me at this point. Standard items.*

*Moermond: so orders only left on unit 1 and a couple of stray issues. Fire Pit, some screens.*

*Whitney: tenant in unit 1 is a voucher holder. It went through standard PHA inspection before she moved in mid-May 2023. Obviously from what transpired since she wasn't happy with what she saw despite the unit passing HUD standards. Management provided notice of going in to do the repairs. It has gone downhill from then. I cannot comfortably advise my client to just give notice and go in with force based on what I've been advised on what may happen. This particular tenant has significant mental health*

concerns. They may have access to instruments of violence. I cannot counsel my client to give 24 hours notice to go in despite what tenant says. They have also expressed requested for reasonable accommodations citing a variety of disabilities around cleanliness of maintenance. Dust may upset or kill her. So we've tried to reasonably accommodate. She had a SMRLS attorney working on her behalf, Mr. Nilles was working with them to try and accommodate. Essentially the tenant felt they weren't representing her interests accurately, so she fired them. Mr. Nilles has been trying to work with County social services people to try and get help. It has come down to the fact that he got an agreement she was supposed to move to a hotel we were paying for, for 2 nights, to do the interior corrections in the unit. That was when SMRLS was fired. She accepted an alternative version of that, which was she was paid the amount and she could find her own hotel. It was supposed to happen this past weekend. At the last hour she said she can't do it. She supposedly has a live-in caregiver who isn't on the lease and she refuses to identify. My client provided a cashier's check for the hotel. She is now demanding more now because her alleged live-in caregiver won't share a room. We have received notice from St. Paul PHA this week that she has exercised her right under the Violence against women act and the lease terminated last Saturday. That means she should have left. But again, she's making demands for the second person in the alternative housing. We've tried to reach out to PHA. She hasn't exercised any statutory rights; to us it is irrelevant. Luke has said multiple times if she wants to leave, its fine, just let us know. HE isn't holding her to any 30-day notice requirement or anything. The most recent communications seem to indicate she has given a 30-day notice. There is no deadline. If you read what she wrong strictly one could argue she gave notice April 26 for immediate vacate, or April 14 that may be broadly interpreted as a 30-day notice. But that isn't necessary because we've told her she can leave whenever she would like. We want to get in. We can't send someone in with a potential weapon of violence. The threats are there.

*Nilles: I would just add we've spent a lot of time trying to get into the unit or a situation where the tenant is comfortable and a willing participant in this. She's very quick to be in this extreme place with demands. It is difficult. The mental health concern is the part that is hard to manage. Within a month of her moving in, we were there to address some window issues and fix some blinds. We had 3 repair people in the unit, the tenant was watching closely, guarding. We had a few windows in the living room and the door to the bedroom was closed. A repairman asked if it was a closet or bedroom, knowing the bedroom had a window. It was phrased in a way it was assumed he was asking for permission. He opened the door and she became unhinged and violent. She verbally assaulted the whole group. It went into the backyard and alley. It was dramatic. During the course of that she mentioned using her licensed ability to protect her property if needed. That's been hanging over a lot of this. We're doing this as politely as we can, trying not to force the issue. She genuinely feels threatened by any authority, especially a landlord. It has been difficult to navigate. Shortly after that we met 3 meetings in the unit with Public Health on behalf of the tenant. He helped mediate and expressed to us some of the health concerns which was helpful. We had constructive conversations around that, specifically the creation of dust. We formulated a detailed plan to fix some flooring and window issues. It was requested we provide organic nontoxic materials when possible for flooring and paint. We sourced that. it was then requested to talk to the manufacturer about a full list of ingredients, which we did and presented. Before that could come to a conclusion the tenant felt that the Public Health worker wasn't representing her well enough, so we were back directly communicating with her, and never allowed to enter. Then she had an agency working with her son who was employed to be a PCA. They tried to get the PSA on the lease and coordinate some of these, she ended up throwing them and her son out of her life. SMRLS came into the mix last fall, Sarah Vale, I explained things to her. That*

*didn't really go anywhere. Ms. Vale ended up disappearing. Then earlier this spring I had another communication from Ms. Vale. I don't know the specifics, but Sarah ended up stepping away and Mr. Mueller stepped in. We negotiated with Thomas at the tenant's request to help her move to a new place, that in the last minute filled with absurd demands and didn't trust doing them would result in the desired outcome. She ended up firing SMRLS altogether. Most recently we expressed to the tenant that this has to conclude. We have to fix this. The other people are being threatened with being thrown out too. That has resulted in a slight change in tone. She's shown she isn't the best at handling these things herself. As of today, she's asking for a couple more days to put the pieces together to find accommodations. For the sake of the others in the building I'd like to give it at least another week to resolve this. Based on her rights and notice to vacate it could be argued she gave up possession of the unit April 26. We'd likely have grounds to evict right now. Even if we exercise that it would take at least a month.*

*Whitney: at least that, and that is if things go smoothly, which I don't foresee. I don't see her change in tone as positively as she does. The tenant was given \$175 a night for 2 nights to be out of the apartment to do the work, now that isn't enough.*

*Nilles: even giving her the payment was a victory because we tried to do it months ago. Then she asked for \$50 for meals, \$20 a day for parking, travel expenses. She has acknowledged the receipt of that in writing. It took us 5 months to get there.*

*Moermond: what is the ask on time?*

*Whitney: if I filed today, at least a month, that is memorial day. She gets 7 days to vacate. If she fails to vacate we have to do a writ. Sheriff's department is 2 weeks behind on removing someone. Best case scenario is Mid June. If she asks for a trial, even longer, another 2 weeks. Judge has 3 months to write it. That's all summer. We don't want that. we want this done.*

*Moermond: in the past, the Department has revoked for specific portions. I will recommend the Council lift the revocation on units 2 and 3 and maintain revocation on Unit 1. If repairs are done by July 1, the revocation is gone. If not done by then, the unit shall be vacated.*

*Nilles: I would add that the screens and the fire pit are taken care of.*

*Whitney: it would make a cleaner record for Court.*

*Moermond: we'll send this to Council May 22, and I'd love to have a note in the file saying as follow up the other items in the orders have been addressed.*

*Imbertson: that is absolutely doable.*

**Referred to the City Council due back on 5/22/2024**

## 2:00 p.m. Hearings

### Fire Certificates of Occupancy

- 27     [RLH FCO 24-35](#)     Appeal of Gloria Berg to a Fire Certificate of Occupancy Correction Notice at 123 WHEELER STREET SOUTH



Sponsors: Jost

Layover to LH May 14, 2024 for further staff discussion. Recommendation forthcoming.

Leif Johnson, Executive Director of Rhakma, appeared via phone  
Eric Lint, facilities and maintenance director, appeared via phone  
Gloria Berg, Rhakma, appeared via phone

Staff report by Supervisor Mitch Imbertson: this is a residential R3 duplex in our Fire Certificate of Occupancy program. This was a renewal inspection by Inspector Tessman. An initial inspection was done in April, 3 items noted. Some questions about each of the items, item 1 on the dryer vent. The inspector noted 10 feet of flexible venting without UL listing for the vent. That was measured by management and thought length was acceptable per code. We'd need to confirm the length and see the UL listing for the duct in order to approve the vent. If we can confirm a UL listed vent installed correctly, we may be able to accept that without changes.

Item 2, the egress door locks, the inspector said the common front and back entry doors had keypad locks that required a key or code to unlock. There was no way to exit without going through a locked door, in violation of the Fire Code. I see a proposal for an alternative locking arrangement. It appears to match a controlled egress door in the state fire code. It has provisions for R3 occupancy when a person's clinical needs require containment and has a number of conditions to be allowed. One is it is only permitted in buildings with a full sprinkler system. So, even if the other conditions are met, it wouldn't be allowed. That sprinkler system allows some level of safety for occupants and additional time to evacuate. It isn't something we'd be comfortable with without that condition.

For item 3, exterior wall maintenance, I would clarify the sections cited in the letter are standard language referring to the property maintenance code and not all sections are applicable to each case. We just want the part in bold repaired, exterior brick is coming loose and crumbling. It sounds from the proposal they will make the repairs, just some confusion around the way things are cited in the letter.

Moermond: the first item up is the dryer vent. I can grant an extension but I cannot grant a variance from the Code because that would be a building code variance which I am not allowed to do. That goes to the Building Official.

Imbertson: we can remeasure. Has anyone with Rhakma verified the UL listing and have documentation to provide?

Berg: we can send it as it is available.

Moermond: so item one checked off. That moves us to egress doors and locks.

Berg: the fire inspection notice identified the egress doors and locks; I didn't bring up as part of the grant we are looking at installing the fire sprinkler system as well.

Moermond: I thought it indicated it hadn't been secured, so it wasn't definitive. So proposed pending financing?

Berg: we know it has to be done either way via regulations, but as a nonprofit if we can get help from a grant it would greatly help us. We're asking for an extension on that.

Moermond: the extension would be until when?

*Berg: we should know about the grant by July 1. We are trying to get things updated before then. I do know the State is very far behind on approving projects. 12 weeks for approval, then the work done. I am not prepared for dates. Can I email that to you?*

*Moermond: that doesn't mean it is granted. Then the question is whether the current condition exist pending that outcome. While you address it while your financing comes through and contractor can address it. How significant is this in the scheme of things. Egress is significant.*

*Berg: we need to contact the State to see how long they're taking to even approve a drawing. We submitted one the beginning of April it is 12 weeks out. We'd need that for the sprinkler.*

*Moermond: so, your request is 12 weeks?*

*Berg: from the beginning of June plus time to get the work done.*

*Moermond: you're asking until October 1?*

*Berg: that's probably reasonable.*

*Moermond: well, it is your ask. Tell me about last item, bricks on the exterior. It looks significant. The deadline in the orders was one month on all of it. What are you looking at in terms of the brick repair?*

*Berg: can we request end of June for the bricks?*

*Moermond: July 1, 2024 works for me.*

**Laid Over to the Legislative Hearings due back on 5/14/2024**

### 3:00 p.m. Hearings

#### Other

- 28 [RLH TA 24-181](#) Ratifying the Appealed Special Tax Assessment for property at 672 RIVOLI STREET. (File No. CG2401A2, Assessment No. 240112)

**Sponsors:** Noecker

*Approve the assessment.*

*Voicemail left at 3:26 pm: this is Marcia Moermond from St. Paul City Council trying to reach Quamar Ahmed about your special tax assessment. We tried April 25 in the morning indicating we'll try again now. I'm going to recommend the Council approve this assessment and we'll send an email with how to testify at Council.*

**Referred to the City Council due back on 5/15/2024**