



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, May 14, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 24-15](#) Ordering the rehabilitation or razing and removal of the structures at 706 CONWAY STREET within fifteen (15) days after the May 15, 2024, City Council Public Hearing. (May 14, 2024 Legislative Hearing)

Sponsors: Johnson

Grant 180 days to rehab pending posting of \$5,000 PD.

Voicemail left for Jay Mitchell at 10:43 am: this is Marcia Moermond from St. Paul City Council calling you about 706 Conway. Trying to wrap up one detail before Council Public Hearing tomorrow. No Performance Deposit has been posted. This goes to Council tomorrow. Figure that out and get that receipt in so we can make sure all the ducks are in the row and grant of time can be made.

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

- 2 [RLH RR 23-58](#) Ordering the rehabilitation or razing and removal of the structures at 378 SIMS AVENUE within fifteen (15) days after the December 20, 2023, City Council Public Hearing. (Amend to remove within 15 days)

Sponsors: Kim

Layover to LH May 28, 2024. PO to submit work plan, bids, schedule, financing and affidavit by COB May 24, 2024.

True Yang, owner, appeared
Wesley Hart, owner, appeared

Moermond: we talked outside Council chambers and were looking for plans on getting this fixed up and money to do that. We haven't received anything, and I don't see you with any paperwork.

Yang: we had a few contractors at the building and we are working with one, they are going over the claims from Paul Davis, our previous contractor after the fire. They're

comparing it to the Code Compliance report is what they said they would fix. Once they do that they'll give us a bid and we'll go from there.

Moermond: you're only getting that if I say so, and this has had a very long time to mature.

Yang: we're working on it.

Moermond: do you have the money to do it?

Yang: yes. We're thinking of using the business we own. Otherwise, we'll take a loan.

Hart: we have cash in our business account and use an owner's disbursement to take it out. That should show the ability to do the work. We have cash it is just housed with our business; we can pull it out if we need to and cover the costs. Then our affidavit will fit with what the City needs.

Moermond: it needs to be in its own account. Not attached to the business. I thought I'd be looking at what it will cost today. Wondering why a month ago I said give them a chance. You're saying two weeks ago you talked to someone. It isn't great.

Hart: the problem I ran into before, and True is working on now, is figuring out what the new contractor needs to do versus what was done by insurance. We have a bid for all the work, at least then we'd have a number. We can show the City we can pay for it.

Moermond: it has been six months since we started talking. What is your ask?

Yang: we should be able to get a bid soon. Two weeks.

Moermond: and if you fail to have it then? Let's talk May 28, and we'll have Council Public Hearing June 12.

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

3 RLH RR 24-20

Ordering the rehabilitation or razing and removal of the structures at 1156 LINCOLN AVENUE within fifteen (15) days after the June 12, 2024, City Council Public Hearing.

Sponsors: Noecker

Layover to LH June 11, 2024 at 9 am for remediation plan for ongoing property maintenance and timeline for clearing out property.

Dana Henjum, contractor o/b/o Sharon Compton, appeared
Sharon Compton, court appointed guardian o/b/o owner, appeared via phone
Jesse McWilliams, interested party and son of owner, appeared via phone
Lois Fillmore, neighbor, appeared
David Burke, neighbor, appeared

Voicemail for neighbor Daniel Brown (neighbor) left at 9:13 am: this is Marcia Moermond from St. Paul City Council trying to call you in about 1156 Lincoln. If you become available call the Legislative Hearing line at 266-8570.

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: The building is a two story, wood frame, duplex with a detached three-stall garage on a lot of 6,752 square feet. The property was referred to Vacant Buildings by Code Enforcement due to garage and dwelling being breached and a severe rodent infestation (squirrels). Vacant building files were opened on February 2, 2023. A fire occurred at the property on October 8, 2023 which did significant damage to the second floor and attic space. The current property owner is Gary J. McWilliams, per Amanda and Ramsey County Property records. The property owner is currently living in Las Vegas, Nevada and has a guardian assigned to his care.

On March 6, 2024, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on March 13, 2024, with a compliance date of April 12, 2024. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$107,800 on the land and \$324,400 on the building. Real estate taxes for 2019 through 2023 are delinquent in the amount of \$31,236.08. Property is scheduled for tax forfeiture on July 31, 2024. The vacant building registration fees were paid by check on March 7, 2024. A Code Compliance Inspection was applied for on April 23, 2024, but has not yet been done. The \$5,000 performance deposit was posted on April 5, 2024.

There have been five Summary Abatement notices since 2023. There have been 19 work orders issued for: garbage/rubbish, boarding/securing, tall grass/weeds and snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$200,000. The estimated cost to demolish exceeds \$40,000.

Moermond: February 2023 it went into the program. 8 months later there's a fire. From the Fire Report it appears those were squatters who had gone in and likely started the fire.

Yannarely: correct.

Moermond: and that is a pattern from break ins based on the report and number of boardings. The tax value seems to be a pre-fire value?

Yannarely: yes, that is my assessment.

Moermond: we have the Code Compliance applied for and Performance Deposit posted, that is positive. You have 19 work orders issued since it went into the program a little more than a year ago. That is quite a few. I'm wondering what precedes March, and what is after?

Yannarely: 5 boardings in October, 1 in November, one in January, 4 in February and one in March. March 5th. Since then, no more boardings.

Moermond: Department of Safety & Inspections is estimating the cost of rehab exceeding \$200,000 which makes sense given it's a duplex with fire damage. That's the minimum. The cost to demolish exceeds \$40,000 and I'm thinking that's low due to the fire damage and that is more expensive.

Yannarely: there's some salvageability that may be taken into play too, like the bricks. It will be an expensive demo.

Moermond: Ms. Compton you are representing Gary McWilliams. Are you the one who has posted the Performance Deposit and ordered the Code Compliance?

Compton: yes, through the funds from Nevada.

Moermond: excellent. Have you had contractors go through and do estimates at all? You're waiting on the inspection report? Is it a rehab case?

Compton: I believe we can rehab it. The damage is contained to the attic and part of the upper level, with some water damage. Dana is a contractor who does this kind of work and is on the same page. We need to get everything out of the house since we have to do a inventory and auction for the personal belongings. There are quite a few antiques in there. We have started getting the house empty so we can get the Code Compliance Inspection Report done. We can get our contractors in ahead of time to look at the trades to get estimates and get on their schedules. Rehab is the plan. We'd like to get it done and sold and provide funds for Mr. McWilliam's care.

Moermond: is this house owned outright? But also in arrears on taxes?

Compton: I don't see a mortgage. I didn't see one when I was trying to find it out. There was insurance money paid out for the fire damage, possibly to the son, but no work was done. A lot of this could have been done already. The taxes are in arrears.

Moermond: my goal in asking about the mortgage was to get a sense of which column I would put that in terms of cost of doing the work. Is it a matter of loss mitigation versus being in a position to gain money post rehab. It sounds like with the building being rehabbed you would come out in the positive column and make some money for the estate?

Compton: that is correct. We'd like him to not be on government programs if he has this asset than can be liquidated.

Henjum: the house has to be emptied. It is quite full. Some rooms we can't even get into. 5 feet worth of stuff. Some things are junk, towels, papers. Then good items that have to appraised and sold. Then fire damaged items, both items and structural. It's a full attic but it is all fire damaged. It is extensive to even get it cleaned out for inspection.

Moermond: timeline for the cleanout?

Henjum: 3 to 4 weeks due to logistics. Fire issues, third floor. It is a labor issue which isn't a problem. The "junk" to be thrown happens at the same time. Does it have to be completely empty?

Yannarely: access to everything.

Henjum: they have to be inventoried, appraised, and then sold. We'd have to find a place to store them, versus keeping them there. Looking at options there.

Moermond: how cleaned out we leave to the building inspection team. That would be Clint Zane who runs the team who does the walk through. Mr. Jessie McWilliams, tell me about what your interests and thinking is.

McWilliams: I entered into a first confession of judgment and paid \$7,500. That was cancelled. However now I have the approval to enter into a second confession of judgment. That will pay off the property taxes. I got that approval. My father has called me numerous times saying he doesn't want to sell. It is his home, my father's home too. We want to make it better and salvage the asset so the house generates money for the estate. I want to do the rehab.

Moermond: my understanding from Ramsey County taxation was with the initial confession of judgment you were representing the estate of your father, but as of March 7 you were not. Now you aren't the legal guardian. I question your legal ability to enter into this confession representing your father.

McWilliams: I'm working with along with Clark County public guardian. There are two guardians. I legally entered into the confession of judgment. I was the legal guardian at the time. Clark County public guardian is a successor guardian. I don't have enough money and it was too cold. Now I want to work with the contractors to clean the house up. There are 8 million dollars' worth of assets in the duplex. \$800,000 of that belongs to me. Someone was stealing copper. The house was fine before the arson. I have photos from before and after to prove the losses. All that is needed is to obtain the catalogs from my photos indicating every asset inside the duplex. My dad's been collecting antiques my entire life. We don't want to sell. We want to get all the assets in a safe place and do the rehab. I don't want to sell, neither does my father.

Moermond: I have a letter from March 7 from Clark County public guardian indicating Ms. Compton has the legal authority to do a list of items. [reads those items]. If you believe you should be performing the role assigned to Ms. Compton, it is a private matter to engage with Clark County with, not part of these proceedings.

McWilliams: I am working with the property tax in St. Paul to get a second confession of judgment. I'm working with the Clark County Public Guardian. I've been doing a lot of work on my behalf to assist them. I have a second hearing at 9 am pertaining to the public guardian. We just want to salvage the asset and rehab. We don't want to sell. I want my father to move back in once it is livable again. I talked with Joe Yannarely and got an okay from him to go in---

Yannarely: that is inaccurate. When I spoke with you I said specifically the person with LEGAL AUTHORITY has the right to go in as long as they secure when they leave.

McWilliams: we are both guardians. They are the successor guardian. They stepped in to assist me. I am working alongside them. I have before and after photos.

Moermond: Ms. Compton, any comments?

Compton: it has been unattended for years. It is a big project. We intend to do it. Just a note I'll have to remove myself here shortly in about 10 minutes for another hearing.

Moermond: we have got the basic two conditions met in terms of the application for the Code Compliance and the Performance Deposit being posted. I'd like toward better timing in terms of when the Code Compliance Inspection Report can be completed. Throwing some guidelines about that.

Yannarely: is Mr. McWilliams allowed into the property from Ms. Compton's point of view?

Compton: no.

Moermond: Mr. Henjum has his marching orders on effectuating that.

[Ms. Compton exits call]

McWilliams: I want to be there. I know I'm not allowed inside the property. I want to be there due to the fact it involves my personal property. Can I be there once they show up? Without going in the house?

Moermond: Ms. Compton has left the hearing so I would say you need to negotiate that with them. Her response to my question was no. They have been appointed to inventory, obtain appraisals, do documentation.

Fillmore: my condo overlooks the house. I watch the raccoons go in and out many mornings. I have called the police many times about people going in and out through the basement, or ladders going up to the second floor.

Moermond: sounds like the boarding and new management has resulted in fewer incursions?

Fillmore; I did call in the last two weeks because of a ladder in the front of the house to get to the second floor over the front door. There are a couple windows not boarded.

Moermond: how long have you lived there?

Fillmore: I moved in shortly after the fire. I placed an offer just before the fire. I moved in during November. There's a lot of debris in the yard. I'll go in the back with my dog and every day there is something new in the back yard. Trash, debris, glass between the buildings. Watching the raccoons go in and out, I can't imagine the damage inside. There are two I see on regular basis.

Moermond: the glass?

Henjum: we can clean it all up. It would be nice to do that as the first step. There is glass all along there. We want to be able to do that once I really have the go ahead to do that. I'm relatively new on the scene.

Moermond: are you the contractor in charge of maintaining the property?

Henjum: no, just rehabbing. But it has just been neglected. It can have that curb appeal again. The house is worse than it looks from the outside. It is completely burned up on the inside, even though the stucco looks nice.

Moermond: let's get someone to work at the outside at the same time the inside is being cleared out.

Yannarely: squatters with ladders is new. When the brush was being cleared I thought it was part of that. Can you remove the ladder too?

Henjum: yes.

Moermond: we need Ms. Compton to fill out the Vacant Building registration form.

Burke: I live on Goodrich for four years. I have experience in this area. I'm here as an interested buyer. Doesn't sound like that's the plan, but lacking that getting it cleaned up quickly. Four years interacting with different people, police removing people, was there the day of the fire. If it gets cleaned up great. I understand it is a complicated situation. I'm not trying to force myself into it.

Moermond: under Chapters 30, 43 and 33 in the Code, transfer of the property isn't allowed until the nuisance is abated. The abatement would be the responsibility of the owner, or representative of them. Do owners develop contractual relationships with rehabbers? Yes. Is title transferred before the work is done? No.

Burke: understood.

Moermond: we also have Daniel Brown and Gina McCabe we've heard from. I know the Ward office was reached out to. The Council in this matter is acting in a quasi-judicial capacity. They are issuing an order in the same fashion a court would. Issuing an order to the owner to take an action.

[Mr. McWilliams left the call]

Moermond: entering into a confession of judgment isn't the same as addressing the taxes. [Ms. Moermond walks through bids, schedule, requirements]. Let's talk again June 11. I'll expect follow up on how Ms. Compton wants to manage people contacting her about property maintenance issues. Having site cleaned up.

Referred to the City Council due back on 6/12/2024

10:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 4 [RLH RR 24-13](#) First Making finding on the appealed substantial abatement ordered for 1356 REANEY AVENUE in Council File RLH RR 23-23.
- Sponsors:** Johnson
- Grant additional 180 days to rehabilitate or remove pending posting of new \$5,000 PD. First \$5,000 PD to be forfeit.*
- Joe Steinmaus appeared via phone
Kevin Vu appeared via phone
- Moermond: anyone else who should be called in?
- Steinmaus: no, we're good.
- Moermond: item 3 says it is an outright sale of the property, while item 10A says seller shall delivery a quit claim deed upon completion of the work. Item 10 sounds accurate, but item 3 sounds title transfers now.
- Steinmaus. we can remove item 3 and send it back in.

Moermond: I see Jodisha's name on the contract?

Steinmaus: she has an interest in the property since she paid some money.

Moermond: so she's not a rehab partner?

Steinmaus: absolutely not. She will just quit claim it to us when it is done.

Moermond: how long to get that refreshed agreement? We'll put this in front of Council next Wednesday. Forfeit the original \$5,000.

Steinmaus: can't you leave that original \$5,000? They're struggling.

Moermond: no.

Supervisor Joe Yannarely; the last time I was there the board was pulled off the window and it was open to access. We did send a Summary Abatement Order out to that effect. Make sure you cut the grass too.

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

Other

- 5 [RLH OA 24-3](#) Making recommendation to Ramsey County on the application of Fee Owner, Kao Lee Vang-Thao, Hotland Properties, LLC, for repurchase of tax forfeited property at 732 STATE STREET.

Sponsors: Noecker

Recommend allowing for repurchase.

Moermond: Mr. Yannarely, we have the updated ownership information for Hotland Properties. Kao Lee Vang-Thao owns the LLC and she is the applicant for repurchase. Code enforcement history anything making this a nuisance?

Yannarely: four minor issues that were resolved.

Moermond: and police calls don't indicate a nuisance. Recommend allowing for repurchase.

Referred to the City Council due back on 6/5/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 6 [RLH SAO 24-28](#) Appeal of Tamiko V. Trott-Binns to a Summary Abatement Order at 1020 AURORA AVENUE.

Sponsors: Bowie

Appeal withdrawn & archived (extension negotiated with the Department).

No one appeared

Moermond: recommend Council grant an extension through May 17, based on an extension negotiated between the Department of Safety & Inspections and the owner. We will send this to Council May 22 and do follow up May 28. Actually appeal withdrawn and archived.

Withdrawn

7 [RLH SAO 24-29](#) Appeal of Anh-Duyen Van Pham to a Vehicle Abatement Order at 705 MARYLAND AVENUE EAST.

Sponsors: Yang

Layover to LH June 11, 2024 for further discussion after PO submits zoning application. VAO is being withdrawn by Department and new Correction Orders issued.

Anh Pham, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Vehicle Abatement Order was issued May 3, 2024 to owner and occupant for a vehicle parked on an unapproved surface next to the garage. The area has class 5 but isn't designated for parking. You can go through Site Plan review if you wish to make it a legal parking spot, including having the class 5 refreshed.

Moermond: the whole parking area isn't acceptable, but a smaller part may be acceptable for one parking space?

Martin: yes, for one vehicle.

Moermond: I see 3 vehicles in this photograph.

Pham: yes, we can't park in the street. Four adults so they have 3 cars. They're parking in the back. There is nowhere else to park. If you don't let me park on my property, where can I park?

Moermond: two issues going on. One is what is allowable parking on your property, and the other is you are asking us to problem solve for you where tenants can park. Right now, you can legally have one parking space in the back if you clean up the gravel. You could have more if you go through Zoning to get approval to expand the parking area. I don't mind giving you an opportunity to ask for the ability to expand parking from Zoning. I cannot do that. My job has to do with Code Enforcement. That means I'm limited to giving an extension to figure out your next steps. One vehicle can be there after you clean up the gravel. I gather you would want to file for a site plan to be reviewed for more parking spaces. Is that right?

Pham: ok.

Moermond: I can give you time to talk to them and figure that out. Let's talk June 11 and we can talk about what's going on with you filing for more parking spaces and give more time if needed. We'll have more information after you talk to Zoning. You'll get a fresh letter.

Laid Over to the Legislative Hearings due back on 6/11/2024

- 8 [RLH SAO 24-7](#) Making finding on the appealed nuisance abatement ordered for 265 PAGE STREET WEST in Council File SAO 23-54.

Sponsors: Noecker

The nuisance is abated and the matter resolved.

No one appeared

Moermond: the nuisance has been abated?

Supervisor Lisa Martin: that is correct.

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

Correction Orders

- 9 [RLH CO 24-4](#) Appeal of Alice Baier to a Correction Order at 2425 YOUNGMAN AVENUE.

Sponsors: Jost

Grant to June 28, 2024 for compliance with the Summary Abatement Order.

Alice Baier, sister of owner, appeared via phone

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued for parking on unapproved surface. Trailers full of stuff. Yard full of stuff. We asked everything be done by May 8. Appeal was filed. Inspector did go by this morning. We are so pleased, 75% has all been taken care of. I'm hopeful with a little more time it can be resolved.

Baier: we just need some time. I have two family members working over there four days a week, sometimes six. We've filled one dumpster. I just had another delivered yesterday. We have sold trailers; we have a party interested in the step van. The renter upstairs had items in the backyard, boat motor and trailer. He moved that. he took the snowplow blade away. The owner's daughter's boyfriend had a shipping container and abandoned car, those two have been removed. It has been a process. We had to up the ante with an attorney. We've made a lot of progress. My brother owns it, and I moved him into assisted living. My siblings all live in California. It was all dumped into my lap and I've been working ever since. Due to my caring for my husband, I've had to hire a lot of services.

Moermond: you've got a ton done. How long are you looking to get done?

Baier: four to six weeks.

Martin: I think six weeks is fine. She's been working on this since January, I know it is a big job. We appreciate her help.

Moermond: let's give an extension through June 28. Hopefully that's enough time. I wish you well, I know you are working hard.

Baier: thank you for your time and consideration. I appreciate it greatly.

Referred to the City Council due back on 6/5/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 10 [RLH VO 24-13](#) Appeal of Dharmendra Bhakta to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 901 SNELLING AVENUE NORTH.

Sponsors: Bowie

Grant the appeal on the revocation and order to vacate. Balance of orders to be converted to correction orders granting to June 28, 2024 for compliance.

*Patrick Bower, attorney, appeared
Dharmendra Bhakta, o/b/o Midway Hospitality, appeared
Nisha Bhakta, wife of Mitul who came to previous hearing, appeared*

Moermond: repairs had happened, we wanted a follow up inspection. Mr. Perucca went out there?

Staff report by Supervisor Mitch Imbertson: the reinspection was done by Jim Perucca after the previous hearing, on May 7. The updated letter I sent May 13, just yesterday. Quite a few items were done since the previous inspection. We do have a few remaining issues, notably with the electrical work there was a permit given a final April 29. Based on the description for that work I'm not sure it covers all the work cited in the report. The GFI outlets in the bathroom we need confirmation it was looked at as part of the inspection by the permit or will need a separate permit. It wasn't part of the permit that was approved. We need confirming heat calculations and sizing was provided. I'm not sure if that was done at the time of the electrical inspection or approving the electrical portion without commenting on sizing. Not needing the boiler to supplement. Missing cover plate by an ice machine. Chimney on caretaker residence needed repair. Emergency plan. Employee training and fire drills. Smoke alarm affidavit.

Moermond: item 5, permits and heat/AC units. These are electric and mechanical permits?

Imbertson: the mechanical requirement is to confirm sizing of the units and show they are adequate for providing heat without any supplementing. There was previously a boiler, and there's a question of whether those can be the only heat source for the units. We had a boiler that was removed/abandoned in place.

Moermond: so the new units need to act independently of the boiler system.

Imbertson: yes, we'd either a mechanical permit or mechanical would review appropriate paperwork and wouldn't need a permit.

Dharmendra Bhakta: we gave the specs to Mr. Perucca. We haven't heard anything back.

Imbertson I: I'm not aware of that, he's out this week and gave me his notes the end of last week.

Dharmendra Bhakta: I gave him 7 or 8 pages of specs.

Imbertson: he would have given them to someone in mechanical inspections.

Moermond: given the progress it makes sense to give an extension to get them done.

Bower: a couple things are in progress. The chimney deficiency they reached out to Blue Sky Chimney. They have an estimate but will be getting other bids. They'd like more time to do so. With respect to the fire evacuation plan, they wanted more guidance as to what needs to be included and any diagrams needed. The smoke detector affidavit, I have an electronic copy.

Imbertson: you can just email it.

Bower: the change in responsible party form. That was updated to ensure they will receive the correspondence and prevent future mix-ups. He said he gave that at the reinspection last week.

Imbertson: we do have updated address information. Is the address on the May 13 letter yes?

Dharmendra Bhakta: yes. That's correct.

Bower: in a few weeks they were able to narrow the list down. I knew a lot of the defects had been cured, and a few still needed more time. Our client has been on top of it and communicating with inspector.

Moermond: we have an electrical permit pulled. Is it finalized?

Imbertson: yes, it was finalized, but the description in the permit didn't necessarily cover everything in the orders. It needs a separate permit.

Dharmendra Bhakta: we will pull a new permit, I know it wasn't inspected under the other one.

Moermond: along with number two?

Imbertson: yes, new permit for one and two.

Dharmendra Bhakta: number two should have been under the permit. That's why we pulled it, for the main panel in the basement.

Imbertson: so number 1 and 7 for sure need a new permit.

Dharmendra Bhakta: yes, we knew that.

Imbertson: the extended text of the Fire Code has a list as far as minimum requirements for the emergency plan. You can find samples online that may give good starting points. We cannot draft it for you, but we are happy to provide feedback on a plan submitted by you.

Moermond: sounds like the chimney would be longest out since you want to get other bids. Based on what I'm hearing, I'm going to grant the appeal on the revocation and order to vacate and have the orders converted to regular correction orders. The items

remaining need to be done, but the weight of the order to vacate we can dispense with. The new deadline for the remaining orders I'm looking 6 weeks, to June 28.

Referred to the City Council due back on 6/5/2024

- 11 [RLH VO 24-4](#) Appeal of Raj Mehta to a Correction Notice-Complaint Inspection (which includes condemnation) at 220 ROBERT STREET SOUTH.

Sponsors: Noecker

Refer back to LH January 7, 2025 at 1:30 p.m. as conditions outlined in nuisance abatement plan have been met.

No one appeared

Moermond: I will ask the Council to refer the matter back to Legislative Hearing January 7, 2025 and that is item 11. I am asking that because has met the terms of the agreement attached to the record, including meeting with St. Paul Police Department and has a camera plan and submitted lease addendum indicating the hours of building and other conditions. Because those were met we'll send it back to January 7. If there is a violation between now and then it will trigger a Legislative Hearing noticed by Fire Inspections or the St. Paul Police Department.

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

- 12 [RLH VO 24-7](#) Appeal of Tianna Verdega, Tenant, dba Clubhouse Entertainment, to a Fire Certificate of Occupancy Correction Notice, including Condemnation, at 220 ROBERT STREET SOUTH. (Refer back to May 14, 2024 Legislative Hearing)

Sponsors: Noecker

Withdrawn and archived.

Moermond: for item 12, the other appeal on 220 South Robert, we have confirmed with Clubhouse Entertainment, Dee King, they no longer rent at 220 Robert and are withdrawing their appeal. Withdrawn and archived.

Withdrawn

Staff Reports

- 13 [SR 24-66](#) Review Compliance with the Previous Orders under RLH VO 24-8 and RLH VO 24-10 adopted by Council on April 17, 2024 for Appeal of Patricia Whitney representing owner Jen Komatsu and tenant, Lee Bozeman to a Fire Certificate of Occupancy Revocation and Order to Vacate at 1695 SEVENTH STREET EAST.

Sponsors: Yang

Fire C of O has been reinstated as of May 10, 2024.

Moermond: following up on this because the tenant reached out and wanted to confirm he could still stay and was concerned the deadline was blown. Didn't know what was going on. There's been follow up from fire?

Imbertson: reinspection and deadline was met. Inspector Der Vue on May 10th notes she met with a representative from VSM, Will, and all repairs completed including electrical service to Unit 2, confirmed by Xcel.

Received and Filed

2:00 p.m. Hearings

Fire Certificates of Occupancy

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

Sponsors: Jost

Grant to June 7 for compliance with item 2 related to doors, and July 1, 2024 for balance of April 12, 2024 orders.

Gloria Berg, Rhakma, appeared via phone

Staff update by Supervisor Mitch Imbertson: we reviewed the codes regarding the locks at the property, and had a virtual meeting with property management on feedback for their potential solutions and review code references for proposals. The best solution for what they're attempting to accomplish is addressed under "controlled egress door" in the fire code which has a number of requirements to have that type of locking arrangement, most notably a sprinkler system essential for occupants while they're potentially locked into the building. Current building doesn't meet these conditions. We went through other options and it was challenging to meet intent of what they are trying to do. We're not meeting requirements in the building to install that type of lock for controlled containment. We talked about adding alarms to the doors that could alert staff occupants were leaving. We also gave preliminary feedback to securing the exterior. The yard and fence, we didn't have an exact plan but it looks unlikely to be acceptable per fire code given there's no way to have a safe meeting point 50 feet away from the building in the same lot. We also reviewed requirements for double cylinder deadbolt locks, that is allowed for single-family home and some duplexes but this isn't allowed since the property is licensed by State DHS.

Moermond: you've had this conversation with Mr. Imbertson, I'm sure you talked internally. Any updates?

Berg: no, the conversation with Mitch was very helpful. We're still waiting to review the code and controlled exits. We'll probably have to go that direction.

Moermond: what do you mean by Code to review Code?

Berg: I think Mitch was going to send information. Details of the regulations.

Imbertson: sure. I can look at that. I don't have notes on what we discussed but I can provide the extended code references for the controlled egress.

Berg: I can send them again if that's helpful.

Imbertson: I apologize if misunderstood. I gave code references, but I can provide a link to the extended link online.

Moermond: we talked about deadlines being extended for dryer vent and then exterior repairs.

Berg: I did send photos after the hearing for the UL Listing. If that isn't in compliance then July 1.

Imbertson: the response was we needed to view it onsite to check off on it. I recall photos but I don't remember the sticker.

Berg: I sent that to the Legislative Hearing email.

[Imbertson reviews]

Imbertson: it does look approved but we do need to confirm on site.

Moermond: I've struggled this week with this situation. That struggle has been around how long and if it is reasonable to do an extension for compliance with the door locking system pending the building being sprinkled. As I think this through I am increasingly uncomfortable with the notion of an extension without changing out that system for locking pending sprinkling. You'd be at risk for flight, but my concern is about fire code and emergency exiting. Mr. Imbertson, does this apply to all exits? Or could for a duplex it be one exit?

Imbertson: with it classified as a duplex we'd just be looking for one approved exit from each unit, which could potentially be the same exit if both units have access to the same common area exit. It is approved as duplex, though both units are used in combination right now. They do appear to have access to a common landing so one egress.

Moermond: so the front door could be used as egress, keypad removed, and the other door could remain with the key pad and maybe marked as not an emergency exit.

Imbertson: yes, with my understanding of the current layout that would be code compliant. If the back door wasn't going to be maintained as an exit we'd reference 1031.5 to be labeled as not an exit so there's no confusion.

Moermond: my recommendation is that locks are removed by June 7. I can put this on the agenda as soon as May 22, alternatively June 5. They don't meet on May 29th.

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