



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
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Tuesday, May 28, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

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

##### Remove/Repair Orders

- 1 [RLH RR 23-10](#) Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (Refer to May 28, 2024 Legislative Hearing)

**Sponsors:** Yang

*Layover to LH June 11, 2024 at 9 am to review work plan, schedule, bids, financing, and affidavit from purchaser.*

*No one appeared*

*Voicemail for Spencer left at 9:37 am: this is Marcia Moermond from St. Paul City Council calling you about the remove and repair of 1117 Jenks Avenue. Particularly looking to check in to the MN Housing dollars. I know the closing is hanging on that. Looking for that update. We will try you back in a little bit.*

*Voicemail for Spencer left at 9:53 am: this is Marcia Moermond again. We'll put this on the calendar 2 weeks from today to move this forward. Tuesday June 11, 9 am. I hate to send this to Council with no update because then you have to stand there and explain what is going on. Let's do connect.*

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

- 2 [RLH RR 23-31](#) Ordering the rehabilitation or razing and removal of the structures at 455 ROBERT STREET SOUTH within fifteen (15) days after the August 2, 2023, City Council Public Hearing. (Refer to May 28, 2024 Legislative Hearing)

**Sponsors:** Noecker

*Layover to LH July 23, 2024 at 9 am for further discussion and update on financing & closing.*

*Tom Radio, attorney, appeared*

*Moermond: another check in on the phase 2 review and the closing.*

*Radio: I provided an update and on page 3, paragraph 5 in bold are my comments. The environmental analysis was done before the 28th. Some contamination 28' below the surface. Needs to be done with cooler weather, so this fall. They still want to proceed with the purchase, but we don't have to wait to close until that second report. The lender has to do reevaluation of financing. May 9 they provided updated terms to the purchaser, requested an additional 60 days to close. The only contingency now is financing not environmental concern. My client gave until July 8 to line up that financing. Contamination has been identified and its just dollars and cents. We're still moving ahead, down to the last one, money.*

*We did have an instance of vandalism which Joe brought to our attention; we resolved it within 24 hours. We are continuing to monitor both for our own interest as well as the neighborhood.*

*Moermond: work won't begin until after the environmental testing is done?*

*Radio: I don't know for sure, but I don't think the two are related. They can start work on the building; the contamination is 28 feet below. Purchaser will have money in the deal, and time is money. She'd had her contractor in to see what needs to be done. I'm sure the financiers are asking for a plan.*

*Moermond: let's talk again July 23. Check in on closing and a better idea of financing. I'll be looking for work plans and financing to get the work done from the purchaser.*

*Radio: we'll be inviting the purchaser to attend at that point, burden will shift to them.*

**Laid Over to the Legislative Hearings due back on 7/23/2024**

**3**      [RLH RR 23-58](#)

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

**Sponsors:**            Kim

*Layover to LH June 11, 2024 at 9 am to review work plan & schedule, bids, any necessary financing, and affidavit from purchaser.*

*No one appeared*

*Voicemail left at 9:32 am for True Yang: this is Marcia Moermond from St. Paul City Council trying to call you into a hearing about 378 Sims. We'll try calling in the other two parties and then try you back.*

*Voicemail left at 9:34 am for Wesley Hart: this is Marcia Moermond from St. Paul City Council trying to call you into a hearing about 378 Sims. We've reached out to True Yang; she didn't pick up either.*

*Voicemail left at 9:47 am for True Yang: this is Marcia Moermond trying to reach you again about 378 Sims. We will be forwarding some information to you about an inspection that happened with Clint Zane and "Armando". It would appear not nearly as much needs to be done as originally thought. Really you should connect with Clint Zane so you have the information you need for your Code Compliance, which may be different than your insurance. We'll leave the same message with Mr. Hart if he doesn't*

*pick up this time.*

*Voicemail left at 9:49 am for Wesley Hart: this is Marcia Moermond trying to reach you again about 378 Sims. We will be forwarding some information to you about an inspection that happened with Clint Zane and "Armando" on site. It would appear not nearly as much needs to be done as originally thought. You should be aware of that and maybe meet with Mr. Zane on site to discuss what needs to be done so you have that information. We do need to connect. This isn't an infinite process here. Resend with a plan once you have that information.*

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

- 4 [RLH RR 24-17](#) Ordering the rehabilitation or razing and removal of the structures at 887 CHARLES AVENUE within fifteen (15) days after the May 1, 2024, City Council Public Hearing. (Refer to May 28, 2024 Legislative Hearing)

**Sponsors:** Bowie

*Layover to LH June 11, 2024 at 9 am for review of work plan, bids, and financing once CCIR is completed.*

*No one appeared*

*Voicemail left at 9:44 am: this is Marcia Moermond from St. Paul City Council trying to reach Kyle Runbeck about the order to remove or repair 887 Charles. We haven't heard from you, in particular the building inspector hasn't heard from you with the lock box combination. We need to talk about the implications of that for deadlines and bids, hence the Legislative Hearing scheduled for today.*

*Voicemail let at 9:55 am: it is Marcia Moermond again calling about 887 Charles. We need that inspection report, otherwise I have no reason to continue talking about this. Reach out to Clint Zane. You'll get a letter confirming that, and we'll put it on the docket for 2 weeks.*

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

## 10:00 a.m. Hearings

### Making Finding on Nuisance Abatements

- 5 [RLH RR 24-21](#) Second Making finding on the appealed substantial abatement ordered for 1043 BEECH STREET in Council File RLH RR 23-68.

**Sponsors:** Johnson

*The nuisance is abated and the matter resolved.*

*No one appeared*

*Moermond: this has its Code Compliance?*

*Supervisor Joe Yannarely: as of March 19.*

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

## 11:00 a.m. Hearings

### Summary & Vehicle Abatement Orders

- 6 **RLH SAO 24-32** Appeal of Lucius A. Anderson to a Notice to Cut Tall Grass and Weeds at 400 AURORA AVENUE.

**Sponsors:** Bowie

*Deny the appeal noting the nuisance is abated and the matter resolved.*

*No one appeared*

*Moermond: this is abated?*

*Supervisor Lisa Martin: this was abated, yes.*

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

## 1:00 p.m. Hearings

### Vacant Building Registrations

- 7 [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 June 4, 2024 at 1 pm. Code Enforcement staff to reinspect to abate or update items on orders.*

*Franchesca Vann Wickstrom, occupant, appeared via phone*

*Moermond: we left things off with the expectation you would be reaching out to Lisa Martin in Code Enforcement and scheduling an inspection. I understand that hasn't happened.*

*Vann Wickstrom: I did this morning. After I saw you guys I ended up in the hospital. I had told you I had fallen. All my paperwork was left. Friday I talked to Mr. Humphrey and he was the one—we were playing phone tag for a week. I did reach out to her. I have the email if you want me to submit it. He gave me the information to get ahold of Ms. Martin. Every time I called down there no one knew what I was talking about. They kept sending me to the wrong people. Mr. Humphrey and I played phone tag back and forth after I got out of the hospital, finally we spoke Friday. I reached out to her this morning and left a message and haven't heard back yet.*

*Moermond: since we told you to call her between 7 and 9 am, I guess that makes sense. Why didn't you look at the email we sent you with the phone number and email?*

*Vann Wickstrom: I didn't get an email. He said it was sent in the mail.*

*Moermond: I'm looking right here at the email sent to you, which is the same email addressed used to previously communicate so I'm not sure—*

*Vann Wickstrom: let me check. No ma'am I didn't get that email. Let me look to double check. I responded to Mr. Humphrey's email ok. I never got an email after.*

*Moermond: that's why we provide that information on the record and told you it would be coming on Friday. May 10th is when it was sent.*

*Vann Wickstrom: May 10th? I'm checking now. It is the same email as the one. I'm not seeing anything yet, but I'm looking.*

*Moermond: the thing is, there's a lot riding on this. We gave you the number in the Legislative Hearing that Tuesday. Followed up with a letter on it. I don't know why Robert Humphrey got involved, but ok, you involved him. What I need is for Code Enforcement to go through and inspect the house. That wasn't done. Whether this is in the Vacant Building program and condemned is riding on this. There's the ability to live there and the Vacant Building fee itself. That isn't a small thing.*

*Vann Wickstrom: no ma'am. I ended up in the hospital. I have documentation. I have [lists medical conditions]. Ended up in the hospital. I apologize. I'm looking at my email. I didn't get it. My mail, when my niece and her spouse moved out, when they forwarded their mail, my mail started going there. I went to the post office to fix it; I never got that letter.*

*Moermond: this did not go out via US mail. This was an email. It didn't bounce back.*

*Vann Wickstrom: I didn't get it.*

*Moermond: I need to figure out how we're going to get an inspector in there sooner versus later.*

*Vann Wickstrom: yes ma'am. I need to talk to Lisa. I left her a message early this morning. I am waiting on her to call me back. I am not taking this lightly. This is a big thing for me. I apologize.*

*Moermond: I spoke with her at 10 and she indicated she hadn't heard from you. So, it must have been after 10 am.*

*Vann Wickstrom: yes ma'am it was.*

*Moermond: so that's not "early". Anyway. I'll give you one more shot at this. You need to get her in, or honestly there's no reason for me to recommend that the Council lift the condemnation. There has to be an inspector going through. That's also the basis of removing you from the Vacant Building program. I'm not opposed to that; people can do that because things check out but it has to check out. It can't just be floating along.*

*Honestly, at max we would give you a 90-day waiver on the Vacant Building fee from the point it was put into the program, April 4. That would take you to July 4. In the end we'd be looking for the orders to be cleared at that point. You won't have the fee. That is your goal. You need to find out that punch list though before we can move forward. Call her 7 am tomorrow. We will put you on the calendar for next Tuesday, afternoon in*

the same time slot. Hopefully we'll have better information.

Vann Wickstrom: yes ma'am. I just looked in my inbox and I didn't see anything from the 10th at all. I'll check my spam.

Moermond: what email would you like staff to use?

[emails given & confirmed]

**Laid Over to the Legislative Hearings due back on 6/4/2024**

## 1:30 p.m. Hearings

### Orders To Vacate - Fire Certificate of Occupancy

- 8 [RLH VO 24-18](#) Appeal of Tasha Fierro to a Correction Notice-Reinspection Complaint (which include vacate order) at 927 DESOTO STREET.

**Sponsors:** Kim

Layover to LH Tuesday, June 18, 2024 at 1:30 pm. for further discussion after confirmation there are no immediate life and safety issues (confirmed by SMRLS), and update on probate.

Alida Weidensee, SMRLS, o/b/o occupants

Lita Feirro, occupant, appeared

Tasha Fierro, Lita Fierro's daughter, appeared

Lita Fierro: I'm trying to get ownership of the property. My mom passed away and she wanted me to do it because with my disability I don't have anywhere else to go. That's who I am. I'm scared.

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: this is a single-family home recently owner-occupied and not in the Fire Certificate of Occupancy program due to owner of record living there. On May 31, 2023 this process started with a complaint received by our office regarding exterior issues: broken windows and damaged siding as well as alleging the property was no longer owner-occupied. Then it would require a Fire Certificate of Occupancy. An inspection was done in June 2023 and a number of exterior issues were noted including broken windows, deteriorated siding, deteriorated retaining wall. Occupant of the property at the time gave the impression the property was a rental, or at least not occupied by the owner. There was no Certificate of Occupancy on file so our orders also included a requirement to apply for a provisional Certificate of Occupancy which would allow continued occupancy until the interior inspection was done and one issued.

A number of follow-up appointments were made over the following months and we hadn't received a provisional Certificate of Occupancy application or any documentation that ownership was transferred to make it owner-occupied again. We also didn't see any progress on the exterior deficiencies noted. In February 2024 the water department confirmed that they had information that the listed owner was deceased and the property was occupied by the owner's children. Another set of orders followed and as of our April 2024 orders we still had no plans for repairs on exterior

*items or any progress and no application for the Certificate of Occupancy. If the property was to be transferred to one of the residents as an occupant and owner of the building, then we would refer any issues to Code Enforcement for follow-up and no longer have a requirement to apply for that Certificate of Occupancy. If it remains rental or non-owner-occupied we would require that Certificate which also requires an interior inspection of the property.*

*Moermond: no interior inspection. No Fire Certificate of Occupancy issued because of long-term noncompliance with the orders and also because an application for a provisional wasn't made. Between those two things there is long-term noncompliance with the requested documentation.*

*Imbertson: yes, we are passed the allowable time from the ordinance to continue occupancy of the property without it either properly recognized as owner-occupied or properly certified with a Fire Certificate of Occupancy.*

*Moermond: Ramsey County still says the owners are Joseph and Kay Fierro, who are your parents?*

*Lita Fierro: yes.*

*Moermond: taxes are up to date. Who is living here? Any minors in the house?*

*Lita Fierro: no minors, all adults. I have my sister and brother living with me. My sister's fiancé and my son.*

*Moermond: five people. What are you looking for today?*

*Lita Fierro: I'm trying to get a probate lawyer to get the house in my name. My mom wanted me to have it because I'm handicapped and have nowhere else to go. I did try to contact a lawyer after she died. No one would help me.*

*Tasha Fierro: they're really behind on bills as well. So, we're trying to get assistance with that as well. People are trying to work full time and do things in their free time. We did get the backyard cleaned out. We also have an appeal June 18th on that.*

*Lita Fierro: I was trying to get a probate lawyer. We were trying to fix up the outside and then they asked me if I was the owner. I said I'm trying to get ownership. They couldn't help because of that. We need papers saying you are the owner. I've tried and tried but no one can help me.*

*Weidensee: at this point we're looking for some additional time to get them connected with a probate attorney. I have consulted with one over the past couple days and was able to get some brief advice and a timeline. We haven't found someone who has agreed to represent them through probate yet. I do think that Tanisha Johnson Price who is a community development specialist with Ramsey County had a conversation with Ms. Fierro who said there was an attorney available for them.*

*Lita Fierro: yes. I'm contacting her after this so we can get that going.*

*Moermond: this is a Ramsey County government employee who would provide a reference to a private attorney? That doesn't sound quite right.*

*Weidensee: I think she does referrals. I haven't talked to her yet and am hearing this second-hand. It sounded like there was a referral for Ms. Fierro.*

*Moermond: a couple of cases I had with Laura Orr, a previous SMRLS attorney, reached out to the MN BAR to find out if someone is looking for pro bono work and could take this one. She had success doing that a couple of times.*

*Weidensee: Emily Bowen is our volunteer coordinator and she is who connected me with an attorney for consultation. She also did give me a number for potential referrals I just haven't touched base with someone yet.*

*Moermond: you'd be a good candidate for that. We have it in both your parent's name. As I understand it, your father died a while ago?*

*Lita Fierro: yes, 2012.*

*Moermond: and your mother more recently?*

*Lita Fierro: 2023.*

*Moermond: you talked to someone—was it associated with the tribe or someone here in St. Paul? What resources do you have for help with the exterior?*

*Lita Fierro: we have the tribe of Mystic Lake. They're coming in to help.*

*Moermond: that's great. They need you to be the title holder, have the deed to the property. In your name?*

*Lita Fierro: yes. My dad did have a will we didn't know about. He died in a nursing home. They say they do a will.*

*Moermond: it seems to me that your mom and dad lived there forever, it becomes your mom's house. So, it is what your mom had really at this point.*

*Weidensee: it is my understanding that when Joseph Fierro passed away he did not have a will. There is a decree of descent in his probate case that resulted in Lita and her siblings being paid out a certain amount for their interest in the house and the remaining interested went to her mom. With her mom having passed the siblings would be the beneficial owners of the property but the documents haven't caught up yet. To go through probate, I'm told it will take minimum of 90 days because they have to appoint family as representative and time to transfer the property. There are a couple issues with some medical debt her mother had. There are a couple agencies with claims up in the air yet because the probate case hasn't been opened.*

*Moermond: how is it going with the utilities, the mortgage, those things? Is that something to have to deal with in the near term? Are they under control?*

*Lita Fierro: my sister and brother are all organizing to pay off the bills. We've paid the mortgage. We haven't missed one. We will pay that no matter what. We'll get our bills all paid up. We never got a bill in our name when she died. It went to someone else's address. We kept calling and telling them to send one and they kept sending to different addresses. I didn't think people could do that. Then when we finally got the bill it was high. My mom always had NSP get paid off since she was an elder. This time she died before she could get that. I always helped her with that, but she got ill and it*



went quick. We were in the middle of transferring the house to us kids. We needed a notary to come since she couldn't walk. It was too late by the time she went in. We tried to get the notary public to come out when she got home. She passed away before she could come out.

Moermond: does Al Harris still work with you folks?

Weidensee: he does, he actually came on the visit with me.

Moermond: we need some affirmation we have basic smoke and carbon monoxide detectors, that the windows to the sleeping rooms open and close the way they're supposed to.

Imbertson: we're not aware of the layout of the house, but it doesn't look particularly large so with five occupants we need to confirm there are sleeping rooms that have proper egress and if rooms are being used that aren't traditionally meant as a bedroom being used as one, the same requirement.

Moermond: if one person is in a sleeping room, how many square feet do they need?

Imbertson: 70 square feet.

Moermond: if two people are in there?

Imbertson: 100 square feet.

Moermond: you don't want a dresser in front of the window. If three people are in a room?

Imbertson: 150 square feet.

Lita Fierro: I sleep in my own room; my son sleeps in his and my brother sleeps in his. My sister sleeps with her fiancé. There are five bedrooms. There is a little bedroom upstairs no one sleeps in. It is just used for storage.

Moermond: I'm letting it be on the honor system and not sending an inspector to the house at this moment. I want to give you a chance to get this through probate, but I also need to know there is a measure of safety. I'm looking for SMRLS to report back to me of any shortcoming and a plan to fix it. If there's a window that doesn't open, it needs to open. Those are the things springing to mind as first things to check.

Imbertson: utilities are all on, no concern there. The exterior items appear to be serious maintenance items but nothing that is an immediate safety issue. Those would be the big points on the interior for me as well.

Moermond: these are the things I'd like Mr. Harris to look like. Because I've worked with him in the past, I trust his judgment. Doing these things buys yourself time. I'll get an update from SMRLS, if anything needs fixing when it will be done, and confirmation that whatever it is has been addressed.

The orders on the exterior will live. They won't go away, but they may be transferred to different inspectors. When you get the ownership straightened out, you need to get bids and financing to address the items. There may be interior items that need to be looked at as well.

*Lita Fierro: my brother-in-law has been trying to go to Menards to cut the wood to fix the exterior. They wouldn't cut the wood for him. He was there 2 hours.*

*Moermond: I'm willing to put a pin in the exterior items. They aren't life safety issues; they are definitely property maintenance issues that need to be addressed. I hope it isn't cluttered, I hope it is clean. Those are the other two things. Those are issues for emergencies and just your health.*

*Lita Fierro: the front porch is cluttered because my mom let people stay there. They would leave stuff there and then she would keep it. We have bed frames she kept. We are going to get rid of all of it.*

*Moermond: there is a Citywide recycling event coming up that takes these things. That would be a way to get rid of it.*

*Lita Fierro: everything works. We have snow blowers.*

*Moermond: I'm going to have to send this to Council to give you time to work on this. I want to give Mr. Harris time to organize this. I'll put this on my calendar for 3 weeks' time for us to lock in that things are progressing the way we want and that the interior is in safe and sound condition.*

*Lita Fierro: a lot of people have said they'd help if I had ownership.*

*[Ramsey County House Calls resource is discussed]*

*Weidensee: would it be helpful for Al Harris to take photos when he is in there?*

*Moermond: it helps me if you all are comfortable with that. My first priority is making sure that interior is safe. At that time Al Harris would have had a time to visit the interior and you would have had a chance to address anything that came up. If it isn't good enough we will have to activate House Calls to see if they have any resources to help.*

*Lita Fierro: will they help if I don't own it? Everyone has said they can't until I own it.*

*Moermond: I believe they can.*

*Imbertson: there may be limitations on availability of resources, but we do see them working with renters frequently.*

*Weidensee: I know when Al visited you Friday he said he was going to try and get in touch with House Calls.*

*Moermond: we'll check in 3 weeks from now. Hopefully we'll have a probate attorney identified and we've confirmed the interior is good enough for now. Then we have some time to go through the probate process.*

**Laid Over to the Legislative Hearings due back on 6/18/2024**