



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, June 18, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 24-236** Ratifying the Appealed Special Tax Assessment for property at 1056 BEECH STREET. (File No. J2420R, Assessment No. 248524)

Sponsors: Johnson

Continue CPH to January 8, 2025 and if no same or similar violations, delete the assessment.

Ricardo Patron, interpreter, appeared
Cecelia Resendiz, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 22, 2024 we issued a Summary Abatement Order to the property to clean up mattress and plastic buckets from the alley by January 29. We did recheck the property and it was not done, so we sent a work order and that was done February 5, 2024. There was no returned mail. Total proposed assessment of \$313.

Moermond: tell me why you are appealing and what you are looking for today.

Resendiz: I didn't throw anything; it wasn't mine. I was on vacation in California and I didn't return until February. My daughter called me and told me about mattress and trash in the back. I asked her who did it and she said she came back and it wasn't there anymore. She was ready to do it with my nephew. I don't want to pay for things that I didn't do. I have my backyard clean and I don't throw trash in my backyard.

Moermond: I understand it was dumped; it certainly looks like something that would be. I want to emphasize that it is your property and your responsibility to maintain it. Regardless of who put the items there. I'm not seeing any history on the property that there have been previous cleanups. Is that right Ms. Martin?

Martin: that is correct.

Moermond: looking at the photos I notice the garage door is open about one foot. That

means someone could have been in there. In the winter especially, fires are started. I'd like to create an incentive and reduce this assessment if you can maintain it through January 1, 2025. If there are no founded orders between now and then I will recommend this is reduced from \$313 to \$75.

Was this the same trip to California you learned the furnace failed and broke the water line?

Resendiz: yes, it was in the same days.

Moermond: you weren't able to move back in because the City put it in the Vacant Building program, even though there were fixes made. She was staying in a hotel, so I want to consider that as well. On reflection I'll recommend no problems between now and January 1, 2025 the assessment is deleted.

Resendiz: ok.

Moermond: please call if you get future orders and talk to the inspector about it.

Resendiz: August 7 I have to go to court again? I have to have another conversation?

Moermond: if you agree with my recommendation you are not required to go to the Council Public Hearing. If you disagree you are more than welcome to come, but it is not a requirement.

Resendiz: so, I don't need to pay anything? I have to wait until January 2025? What do I need to do.

Moermond: make sure the lawn is mowed, when someone dumps it is cleaned up, the walks are shoveled. Those are the most common things. You've never had a problem before so I don't think you will now.

Resendiz: I will try to clean up and make sure no one dumps more trash.

Moermond: exactly.

Resendiz: thank you very much, have a great day.

Referred to the City Council due back on 8/7/2024

2 RLH TA 24-232 Ratifying the Appealed Special Tax Assessment for property at 549 DAYTON AVENUE. (File No. J2420R, Assessment No. 248524)

Sponsors: Bowie

Approve the assessment.

Kyra Christopherson, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: December 13, 2023 a Summary Abatement Order was issued to remove and dispose of fire damaged debris from rear of property. Rechecked January 5, the work was done by the crew February 9, 2024. Total assessment of \$394.

Moermond: why are you appealing?

Christopherson: the fire of our garage happened the beginning of December. Once we got that notice we called Inspector Smith right away. The biggest issue we had was we wanted to do the cleanup, but our insurance company told us we shouldn't touch anything because the investigation was happening why the fire occurred. We still don't know, but our company was very delayed in taking action. We were talking with the Inspector and told him we were advised not to touch and gave contact information for the insurance. It was frustrating because we were trying to comply and then were being told not to take action. That's the quandary. We really appreciate the City and wanted to say we are grateful for the St. Paul Fire Department. We tried to reach out to find out which department it was to thank them personally. We want to be in good standing with the City. It was mainly inaction with the insurance company.

Moermond: right, understandably. I've seen similar cases with fire damage like this and the insurance company should be covering the cost of this cleanup. I'm assuming you've reached your deductible; I'm thinking you should submit the bill to them and they should be covering it because they should have been doing it to begin with. It isn't the worst bill for cleaning up fire damage I've seen. Does that sound doable?

Christopherson: would we just send the Summary Abatement Order to the insurance.

Moermond: do you have the fire report?

Christopherson: honestly, my husband has been handling most of it because I'm a teacher. Now we're working with Paul Davis for the restoration.

Moermond: this goes to Council Public Hearing August 7. I'd like to make sure you have contact information for our office so if you run into problems with insurance we can be of assistance. A packet was sent to you June 5 with the Summary Abatement Order.

Christopherson: does the insurance pay you directly? We haven't received payment from insurance, we're frustrated with the process and want to make sure this is paid timely.

Moermond: August 7 the Council will vote and within a couple of weeks you'll get an invoice in the mail. That can go to the insurance company. If it goes unpaid through the beginning of November it goes on your 2025 property taxes.

Referred to the City Council due back on 8/7/2024

3 RLH TA 24-217 Ratifying the Appealed Special Tax Assessment for property at 927 DESOTO STREET. (File No. J2418A, Assessment No. 2488522)

Sponsors: Kim

Refer back to LH July 16, 2024 at 9 am for further discussion. Current recommendation is to reduce assessment from \$6,734 to \$3,387 and make payable over 5 years.

Tasha Fierro, daughter of Lita Fierro occupant, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: September 8, 2023 a Summary Abatement Order was issued to occupant and owner to remove/dispose tarps, chairs, garbage, plywood, toilet, microwave, shopping carts, miscellaneous debris from the rear yard. Compliance date of September 15, work was not done when rechecked October 12, 2024.

Moermond: looks like the assessment went through for twice that amount? So that is a change from the amount you were notified of. So were reduced to \$3,387 starting out. What are you looking for beyond that today?

Fierro: I just wanted to plead for my family. They've been struggling. We have people trying to help. We grew up in the house and lived there all our lives. We aren't rich, and we're trying our best. My mom's on social security. My grandma passed away a year ago. A lot of depression, which makes it hard to get motivated. My mom really wants the house in her name, which she's willing to do the best she can paying it. I have 3 kids of my own and my own place. It is frustrating and depressing when we keep getting thrown more things when we're trying our best with our situation. If you can lower it, it would be appreciated. We are doing our best to clean things up. Just being human and realizing life isn't easy. Doing the best you can to lower payments. We have already been trying to pay this off, it hasn't been paid off in 37 years. We've always helped the community.

Moermond: the best I could offer is making it payable over 5 years, but I'd like to double check the math. So, I'd like to continue this to July 16 and make sure that math is ok. You have a Council Public Hearing on July 10th, the week before. We'll ask them to refer it back to Legislative Hearing.

Referred to the City Council due back on 7/10/2024

4 RLH TA 24-240 Ratifying the Appealed Special Tax Assessment for property at 1069 FREMONT AVENUE. (File No. J2420R, Assessment No. 248524)

Sponsors: Johnson

Delete the assessment.

Gholamreza Ashrafzadehkian, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 5, 2025 a Summary Abatement Order was issued to remove and dispose of cardboard, trash, tv and materials around backyard. Compliance date of January 12. Rechecked January 16 and work wasn't done. Contractor did the work February 5, 2024. Total proposed assessment of \$313.

Ashrafzadehkian: we received the letter. We took care of the items in the back. The photos show two mattresses and a couple of other items, they are at 1075 Fremont. If you look at the photos you see the power lines, that's the border line. We have six bulky items part of our garbage. It is not mine.

Moermond: we'll have the inspector review and do some quality control. I'd like to continue this to figure out what is going on with that. We'll talk again July 16 and have them look at this and see if there are any quality issues and have a better conversation then.

Ashrafzadehkian: I assume you have the photos I sent?

Moermond: I do.

Ashrafzadehkian: if you look at the post, it tells you. It is inside their property.

Moermond: while telephone poles are often a good indicator they are not perfect.

Ashrafzadehkian: there's also a fence.

Moermond: I know what you're saying and am hearing you, I just want to hear more about how this came to pass.

Ashrafzadehkian: alright.

[After staff discussion post hearing it was determined that the items were on the neighboring property and recommendation is to delete the assessment]

Referred to the City Council due back on 8/7/2024

- 5 RLH TA 24-235** Ratifying the Appealed Special Tax Assessment for property at 392/394 UNIVERSITY AVENUE WEST. (File No. J2420R, Assessment No. 248524)

Sponsors: Bowie

Reduce assessment from \$278 to \$139.

Tou Lee o/b/o Hmong American Partnership, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 31, 2024 a Summary Abatement Order was issued to occupant and owner to remove the mattresses, door, scrap wood and miscellaneous garbage from the parking lot. Compliance date of February 7. It was not done on recheck. Work was done by contractor February 9, 2024. Total assessment of \$278.

Moermond: why are you appealing Mr. Lee?

Lee: we did receive the letter. I do have an invoice from our contractor to remove the mattresses. One of them wasn't even on our property. It was between the fence and we still removed it. The doors we threw in the dumpster. Just maybe not in time. We do have the invoice to back that up.

Moermond: did they grab the doors? Because it does look like the doors were still here but the mattresses were gone.

Lee: yes. We had to check with the tenant, the restaurant, to make sure they weren't theirs.

Moermond: the photos on recheck the doors were still there besides the dumpster.

Lee: yes.

Moermond: so, half a cleanup. What are you looking for today?

Lee: I was hoping to avoid any fees. It is an ongoing issue in this neighborhood. We don't report as much as we should. I try to do it every day and it still looks the same. We get couches and all sorts of things and try to get rid of as much as we can. We do try to keep it tidy.

Moermond: I want to give you credit for getting the contractor out. I'm not seeing history on the property, which shows you have been taking care of it. I'd like to reduce this by half as a one-time deal. I can't delete it entirely, but I can definitely see my way to reducing it to \$139. In the future make sure to reach out to the inspector right away if you're running into timing problems.

Lee: if that's all we can do.

Moermond: there was still trash around and the doors were still there. There was work to be done and it just didn't include the mattresses. I need to recoup some of those costs for the City, while giving you credit for doing part of it and having a good history. The Council could of course look at this differently, you're more than welcome to pursue it with them.

Referred to the City Council due back on 8/7/2024

10:00 a.m. Hearings

Special Tax Assessments

- 6 RLH TA 24-234** Ratifying the Appealed Special Tax Assessment for property at 66 COOK AVENUE WEST. (File No. J2409E, Assessment No. 248312)

Sponsors: Kim

Approve the assessment.

No one appeared

Moermond: Ms. Martin, we haven't received any contact information outside the email for this owner. We've reached out a couple of times for a phone number. This is a simple Excessive Consumption?

Martin: this has been going on over 5 years, constant vehicles and trash. The was related to a Vehicle Abatement Order for two inoperable vehicles, total assessment of \$169, the 12th Excessive Consumption on this property.

Moermond: without contact information I have no option but to recommend approval.

Referred to the City Council due back on 7/17/2024

- 7 RLH TA 24-244** Ratifying the Appealed Special Tax Assessment for property at 729 DAYTON AVENUE UNIT 1 (File No. J2421R, Assessment No. 248526)

Sponsors: Bowie

Delete the assessment.

No one appeared

Moermond: these three all have the same problem. The notification went to Occupant at 729 Dayton, not a particular human or unit per Code requirement. None of these three that happens. The assessment was divided over the 3 owners, but that is different than notification on the problem. Each I will recommend deletion for improper notice.

Referred to the City Council due back on 8/7/2024

- 8 RLH TA 24-242** Ratifying the Appealed Special Tax Assessment for property at 729 DAYTON AVENUE UNIT 2. (File No. J2421R, Assessment No. 248526)

Sponsors: Bowie

Delete the assessment.

No one appeared

Moermond: these three all have the same problem. The notification went to Occupant at 729 Dayton, not a particular human or unit per Code requirement. None of these three that happens. The assessment was divided over the 3 owners, but that is different than notification on the problem. Each I will recommend deletion for improper notice.

Referred to the City Council due back on 8/7/2024

- 9 RLH TA 24-243** Ratifying the Appealed Special Tax Assessment for property at 729 DAYTON AVENUE UNIT 3 (File No. J2421R, Assessment No. 248526)

Sponsors: Bowie

Delete the assessment.

No one appeared

Moermond: these three all have the same problem. The notification went to Occupant at 729 Dayton, not a particular human or unit per Code requirement. None of these three that happens. The assessment was divided over the 3 owners, but that is different than notification on the problem. Each I will recommend deletion for improper notice.

Referred to the City Council due back on 8/7/2024

- 10 RLH TA 24-233** Ratifying the Appealed Special Tax Assessment for property at 1047 DESOTO STREET. (File No. J2421R, Assessment No. 248526)

Sponsors: Kim

Approve the assessment.

Tanveer Ashraf, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: A Summary Abatement Order was issued January 29, 2024 to remove furniture items from the side of property. Photo shows a couple of mattresses. Rechecked February 5, work was not done. Work was done February 16 for a total assessment of \$313. There is a history at the property.

Ashraf: I did talk to the tenant; she did put the mattress out there and was getting some help to remove it. She is a single mom with four kids. I asked her if she removed it or the City did. She said she did. That's what she told me.

Moermond: did you get the June 5, 2024 email from Mai Vang?

Ashraf: no.

Moermond: we can send that again. The tenant moved things from being on the corner of the property that faces the sidewalk around to the corner so it faced the back. They were not removed. The photos we sent you reflect that. We can forward that again, but I am left with the conclusion those items were not removed, simply moved.

Ashraf: I agree with what you are saying, it was on the Cook Avenue side and she moved to the back of the house. The folks who were supposed to recycling it—the City didn't do it. That is what she is saying.

Moermond: the photos say otherwise.

Ashraf: what did the City do?

Moermond: there are photos from the contractor showing before and after they removed the mattress.

Ashraf: she said the City didn't do it. I don't know. Either way, can we reduce the cost? She's a single mom on Section 8.

Moermond: you're the one responsible for maintaining your property and you didn't even drive by to see what is going on. I understand you may have a private contract with your lessee. The City experienced the cost of removing this. I can't say the City is responsible for recouping costs that were privately incurred. My response is no, and to refer to the photos sent to you. The work wasn't done by you, the tenant, a Contractor hired by the City did it. And that was full 11 days after the deadline, which is plenty of time to take care of it.

Ashraf: she got the notice and she said she'd take care of it. That's why I didn't go by. I have a text from her.

Moermond: that's between you and her.

Ashraf: you can't reduce it? Because this is her bill.

Moermond: this is your bill and between you and the tenant. If you want to give her special consideration you can. The City can't consider her income.

Ashraf: ok I understand. She's responsible, she put the stuff out there. Next step is August 7, third floor Council Chamber, and tenant and I will try to appeal and get yes or no?

Moermond: that is an option. The timing on that would be in the notice you got about today's hearing.

Ashraf: I will talk to the tenant. If we just want to pay, that's it?

Moermond: if that's how you want to proceed, that's up to you.

Referred to the City Council due back on 8/7/2024

- 11 **RLH TA 24-241** Ratifying the Appealed Special Tax Assessment for property at 601 LEXINGTON PARKWAY NORTH. (File No. J2421R, Assessment No. 248526)

Sponsors: Jalali

Delete the assessment.

Mackenzie Fjetland, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: February 6 2024 a Summary Abatement Order was issued to occupant and owner to remove and dispose of a footboard by the garage in the alley. February 13 compliance. Reinspected and was not done. Work done by contractor February 14 for a total assessment of \$278.

Fjetland: I was out of town all of February for work, so I wasn't able to receive that mail. I spoke to my neighbor and he said it was dumped into the alley and he put in between the two garages because people have camped out in there and done drugs in that little nook. He propped it up for that reason. Had I been home I would have dealt with it.

Moermond: this was dumped in the alley and moved so it was no longer an obstruction in the alley.

Fjetland: my neighbor said he found it in February when I wasn't around and then moved it to block between the two driveways.

Moermond: this is a situation where it was in the public right-of-way and moving forward you can call the City and they will come and remove it. This is new information to you. He was trying to be a good citizen by moving it out of the way, and you end up with an assessment because of it. As far as the problem area between the two garages, Ms. Martin may have ideas.

Martin: obviously call the police if people are there, but otherwise motion lights, signage that says on camera, no dumping, putting up a fence.

Moermond: because of this being a first instance and it being in the right-of-way I'm going to recommend the Council deletes the assessment.

Fjetland: fencing has been something I've been considering this summer.

Moermond: that sounds wise.

Referred to the City Council due back on 8/7/2024

12 [RLH TA 24-231](#)

Ratifying the Appealed Special Tax Assessment for property at 1411 SHERBURNE AVENUE. (File No. J2409E, Assessment No. 248312)

Sponsors: Jalali

Layover to LH July 16, 2024 at 10 am for further discussion. CE staff to confirm vehicle is removed prior to hearing; new orders will be issued.

Joanna Hodgeman, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: the last Vehicle Abatement Order was issued November 9, 2023 to owner for a Silver Dodge with expired tabs and flat tires and missing windows. We asked that be put into compliance and be made operable with current tabs by November 16, 2023. We've done many rechecks. We've been fining an Excessive Consumption fee for noncompliance. There are 11 previous Excessive Consumptions. This one before us is for a total assessment of \$303. We have a history at the property, total of 5 assessments on the lookup currently.

Moermond: why are you appealing Ms. Hodgeman?

Hodgeman: the vehicle runs, it has insurance, tabs are current. I can't afford 4 new tires. I called the inspector and let them know. I offered to put a tarp over it. They said no. It has broken windows now because it has just been sitting there due to the flat tires. Punk kids came and busted the windows out. I can't afford 4 new tires. I tried to talk to the inspector about this and I don't know what else I can do so I stop getting this fine. Tires are expensive, I'm a single parent. It is on my property. It isn't blocking the alley. That's my appeal.

Moermond: I suppose this sounds obviously, and I don't mean to insult, but if it isn't something you are using why do you keep it? Is there a plan for it in the future? It seems to be costing you a lot of money sitting there.

Hodgeman: I was planning on using it, but again I have to get new tires. I can't do that right now.

Martin: can you store it in the garage?

Hodgeman: I can probably try to push it into the garage. I don't want to destroy the rims on the tires. If that's the only option, I can look at doing that. I don't understand why I couldn't just tarp it if that's the issue.

Moermond: it would still be the issue under the tarp. What you aren't written up for here, it is also open to entry. While the plastic may keep the weather out, it wouldn't keep a human out. I think your best solution is to get it into the garage. If you do that we can take a look at some of the Excessive Consumptions. But I'd like the problem taken care of first. Let's talk again July 16 and I'd like to have staff check it out before the hearing to make sure it isn't there, then we can talk about reducing assessments.

Martin: would you like us to reissue orders with that due date and including in the open to entry?

Moermond: yes, why don't you.

Laid Over to the Legislative Hearings due back on 7/17/2024

Special Tax Assessments-ROLLS

- 13 RLH AR 24-42** Ratifying the assessments for Property Clean Up services during January 10, 2024 at 927 DESOTO STREET. (File No. J2418A, Assessment No. 248522)

Sponsors: Jalali

Referred to the City Council due back on 8/7/2024

- 14 RLH AR 24-50** Ratifying the assessment for Rubbish & Garbage Clean Up services during February 1 to 12, 2024. (File No. J2420R, Assessment No. 248524)

Sponsors: Jalali

Referred to the City Council due back on 8/7/2024

- 15 RLH AR 24-51** Ratifying the assessment for Rubbish & Garbage Clean Up services during February 14 to 27, 2024. (File No. J2421R, Assessment No. 248526)

Sponsors: Jalali

Referred to the City Council due back on 8/7/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 16 RLH SAO 24-37** Appeal of Jennifer Roba to a Notice to Cut Tall Grass and/or Weeds at 1990 NOKOMIS AVENUE.

Sponsors: Johnson

Grant the appeal noting orders were issues to the wrong property.

Jennifer Roba, owner, appeared

Sean Morgan, owner, appeared

[they sat through appeals process in previous hearings]

Staff report by Supervisor Lisa Martin: I'm not sure if you're aware, but when someone calls in a tall grass and weeds complaint, a letter goes out automatically. There was also an order for overhanging vegetation. I wasn't sure which you were appealing. You don't have tall grass and weeds and as of this morning you have a beautiful photo from the inspector showing the boulevard.

Morgan: we did that before we even got the letter.

Martin: as far as we are concerned everything is in compliance. I know the neighbor along the fence line have some tall grass over there.

Morgan: there's history with him. You have the photo; he previously built a fence along the contour of his driveway. The small wrought iron one. A couple of years ago we had slowly been converting it to native pollinator habitat. They got to be over 8 inches; this was right before the State law change about native pollinators. He called and complained, so we had to dig them up.

Roba: this has been going on over a year. I know it is "anonymous" but he tells us every time he is going to call. We have a lot of documentation about that. I'm just wondering about the initial complaint we paid the \$25 for, it is for the weeds on the other side of the fence. That those are ours.

Morgan: we are pointing out that we built the fence right along the property line, and his complaint is he wasn't able to get his lawn mower in there. But that is because of where he built a wrought iron fence several years before we even moved in. We were outside weeding and he came up to us and said we had to take care of the weeds or he was going to keep calling. We said it was on his side of the fence. He's refusing to mow or do it. He says he will keep calling. I think this is the fifth letter you've issued about various things from him. This started when we put up the fence—he said he was glad we were putting it up because then he doesn't have to seeing our—we did, we spent \$7,000. Then he's still complaining. We're trying to mitigate everything we can. It is harassment at this point. [gives example of a time when their religion was discriminated against by neighbor and complained about].

Roba: he has a lot of issues. We have lived there 14 years. We don't want to against compliance with the City.

Martin: there's been one tall grass and weeds complaint, three overhanging vegetation. In compliance for all. We don't have any issues.

Moermond: it makes it clear from the photo you provided, the telephone pole, which usually is a good measure, makes it clear that the tall grass and weeds are your neighbors. Almost equally to that point, is that three-foot setback from garage to the property line. That has been in place many years. So, if you draw the line straight from the garage forward that also gives you the line your fence was on. He needs to get a weed whip. Perhaps, Ms. Martin, orders should go to 1486?

Martin: I could issue them, but typically if 90 percent of the yard is cut, which it is, we close it. We won't send a work crew at \$380 an hour to trim a few weeds.

Morgan: and we aren't going to complain about it because it is his yard.

Roba: is there a way to send a letter stating that? We just want to prevent him from continuing to complain.

Moermond: we aren't surveyors. There are general principles we follow about determining property lines, but it isn't the same as a survey.

Morgan: he's going to complain to us when we're out working on the yard this summer. Can we tell him these things?

Martin: if he has a question he can definitely call me directly. I'll give you my number.

Roba: that would be great.

Moermond: just keep doing what you're doing. Your lawn is fine.

Referred to the City Council due back on 7/10/2024

Making Finding on Nuisance Abatements

- 17 RLH SAO** Making finding on the appealed nuisance abatement ordered for 1472
24-38 SHERBURNE AVENUE in Council File RLH SAO 24-8.

Sponsors: Jalali

Grant a further extension to July 12, 2024 for compliance.

Whitney Streeter, owner, appeared via phone

Moermond: following up on the abatement order on the fence materials. I know Joanna confirmed with you we were looking for at least a fence permit indicating you were moving forward.

Staff update by Supervisor Lisa Martin: all the fencing material is stacked where it was from last year. There are tall grass and weeds orders that we just issued as well.

Moermond: we asked for a fence permit to be pulled.

Martin: we asked it to be installed under permit, so the permit is applied for but no installation.

Moermond: and I wanted forward movement to consider an extension. The application says you'll be done July 1.

Streeter: that's the new deadline. The only issue may be all this rain.

Moermond: right, that's a problem for a lot of people. I'll recommend the Council give a deadline of July 12 for the fence. Do you have issues with addressing the tall grass and weeds?

Streeter: I didn't get to the backside before my battery died in the weed whipper.

Referred to the City Council due back on 7/10/2024

Orders to Vacate Code Enforcement

1:00 p.m. Hearings

Vacant Building Registrations

- 18 RLH VBR** Appeal of David Abbott to a Vacant Building Registration Renewal
24-33 Requirement at 1818 GRAND AVENUE.

Staff report by Supervisor Matt Dornfeld: this was made a Category 2 Vacant Building June of 2022. It has been in front of you twice, both times in July 2022 and July 2023. 90 day waivers were granted. Permits allowed. The property was made to a Category 1 Vacant Building. Since then the property has been maintained vacant and secure. Looks like there were permits on file but have been withdrawn due to possible change in use.

Moermond: why are you appealing?

Thida: I just bought this building April 1. I rented the space and the company is now remodeling.

Moermond: who is doing the work?

Thida: an adult daycare center.

Moermond: I don't see a building permit for this, so I'm hesitating.

Thida: they need architectural drawings. They got that plan and are applying with the City.

Moermond: you have a tenant. Someone is developing plans. There will be a permit applied for, and a change in use from what it formerly was. How long are you estimating this work will take?

Thida: based on my experience four or five months to get approval. We have to meet DHS requirements.

Moermond: 5 months from today?

Thida: we started the end of May.

Moermond: I can help a little, but not a lot. I can ask the Council to give you a 90-day waiver on the fee. If you aren't done by then, but you're done within six months it will be an assessment you can also appeal to see if it can be prorated.

Referred to the City Council due back on 7/10/2024

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 21 [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 July 9, 2024 at 1:30 p.m. to discuss work plan and deadlines based on Fire Inspection orders (inspection to be done on or before July 5, 2024).

*Alida Weidensee, SMRLS, o/b/o occupants, appeared via phone
Lita Feirro, occupant, appeared via phone
Tasha Fierro, Lita Fierro's daughter, appeared via phone*

Moermond: we were expecting some photos from you or Al Harris Ms. Weidensee, where are we at with that?

Weidensee: Al came yesterday and took photos; I can send them to you.

[photos sent]

Weidensee: there are photos of the smokes and carbons and then the window with cardboard that Al was most concerned about.

Moermond: is that the only window? Is it a sleeping room?

Weidensee: yes, Ms. Fierro's room.

Moermond: a new smoke detector above a door, is that outside a sleeping room?

Weidensee: outside.

Lita Fierro: it is both carbon and smoke.

Weidensee: the last one is with Christmas lights above a doorway outside a bedroom.

Moermond: I'm concerned about that window.

Shaff: I'm not familiar with the layout of the house so it is hard to ascertain where those are.

Moermond: no one has been in the interior. Smoke detectors are good. What was Al's biggest concern?

Weidensee: that window in Lita Fierro's bedroom. There's another window in another bedroom was also a concern but no one is sleeping there.

Moermond: we did talk about windows being able to be opened and being able to stay open for emergencies. What's going on with the cardboard?

Tasha Fierro: someone broke into it a while ago.

Moermond: that does make it a problem. Is it going to get repaired?

Tasha Fierro: we're trying to get it fixed. We're trying to get it cleaned out. Al says there's improvement in the house since we last met. We're making progress.

Lita Fierro: we aren't sitting on our @sses.

Weidensee: they got the smoke and carbons and HouseCalls gave them a big dumpster and removed some of the clutter. They have a second dumpster now too. They made arrangements through HouseCalls to have the stuff on the curb picked up. HouseCalls can't help with the window repair, so that is what they are trying to figure out right now. Trying to gather their own funds to make that repair.

Moermond: both the room Lita is sleeping in, and the spare room both have window problems. That's a concern for me. I was looking at the life safety issues as a way to

continue this conversation. I'm kind of concerned. Where is the probate situation at?

Weidensee: I spoke to our volunteer coordinator and it sounds like they're at the top of the list for a probate attorney. Hopefully within two months. It is all volunteer based so it is a bit out of our control. I know Ms. Fierro did call around to see if she could get an attorney on a pro-bono or low-bono basis.

Tasha Fierro: it is a money thing. It is coming out of our pockets so it is taking longer than normal. We've lived here for 36 years. There is a lot to it.

Moermond: if this were owner-occupied house we wouldn't be having this conversation. If it doesn't have an owner occupant it does need to be in the Fire Certificate of Occupancy program. I am not seeing a clear deadline because of these delays. The track record is it isn't going through probate over quite a few years. I don't know why the next period of time will look any different. I get you are the daughter and granddaughter of the deceased owners. I can say that as far as I can tell there is no legal representative of the estate of your parents, so I have no responsible party for receiving orders or being responsible and the official contact person. that has to be the owner or someone designated by one. You seem to be nice people, trying to do the right thing. I have seen cases where people have continued to live in a house and created havoc for the house and the neighborhood. I have to treat you the same way I have others. Yes, windows cost money. I'm not asking for any huge number of things to be done.

Tasha Feirro: I understand that. We're trying to get it in my mom's name. everyone agrees to that, so once we are able to find a lawyer it should go quickly because everyone agrees. It is just getting someone to help and finding the funds to pay the attorney.

Weidensee: there is an organization called Rebuilding Together MN and I sent them a referral email for the family. They will assist people as long as they are paying the mortgage and up to date on taxes. Again, it is probably a time issue.

Moermond: when we spoke last time you talked about the tribe possibly assisting. Has there been any follow up on that?

Tasha Fierro: they won't help because they don't have the house in our name and we aren't a member of that tribe. Our own tribe we went through can't help us either.

Moermond: five adults living there and between all of you can't get the window squared away.

Tasha Feirro: only 2 adults and work and my mom is on social security.

Moermond: five adults. This isn't making sense to me.

Tasha Feirro: two people work full time and help pay the bills and the mortgage. My mom helps pay the mortgage. The other adult helps take care of my mom, they both kind of do. They don't work. It is my brother and uncle.

Moermond: they have no income?

Tasha: correct. One is going through a court battle so they can't. The other hasn't worked in a while. Three incomes in the house, they don't make a lot. They work at

hotels. We don't have a lot of money. We can stop paying the mortgage and put that towards the window.

Lita Fierro: we can starve to death.

Tasha Feirro: bills and food.

Weidensee: if the main obstacle at this point is the window—

Moermond: I was asking these basic life safety issues be dealt with so we could delay while probate was worked on. Those conditions weren't met. In the short term, while we wait on probate, the City has assurance this place is safe. If something happens right now, I don't need my photo on the front page because I said it was okay to stay. I need an interior inspection and we can figure out that to-do list properly and figure out where the windows fit into it. We could also look at whether another space could be used as a safe sleeping place pending the window replacement. I'm willing you to work with you but I need better assurance on life safety issues. I'd like a walkthrough done, create a list, and together we can put together a plan with short- and long-term items, higher priority and lower priority. I'm willing to work with you but meet me halfway.

Tasha Feirro: showing the dumpster and decluttering prove we aren't just sitting around.

Moermond: working on it is great, but it doesn't tell me the life-safety issues are being taken care of. Fire load is being reduced, that's important. But if there are other critical items I would like that IDed so we can prioritize that. I'm sorry, but two months before an attorney is even assigned, probate court is 4 to 6 months out.

Tasha Feirro: so, we just should sleep on the street?

Weidensee: I think there's some frustration happening here, but I do hear your concerns. When would that inspection have to happen?

Moermond: I would like to see it happen in the next two weeks.

Tasha Feirro: if we can get someone to work on the windows prior to that, before the two weeks. No one can work on windows that quick anyway, but maybe we can get a payment plan.

Moermond: I understand that. It was a basic level of concern I need to deal with.

Tasha: we're doing the best we can. We're just asking you understand that. It is just stressful; it is a lot. I appreciate you giving us that time. I'd rather not have my mom living on the street because of broken windows.

Moermond: I haven't said you had to leave. I'm trying to figure out as many paths forward that figure out the critical items without you having to leave. I need a plan to make this as safe as possible while we work on ownership. I understand you're doing things and I appreciate that. I need to have a little bit more, quite honestly. I think that's a reasonable ask.

Tasha Feirro: I get where you're coming from but giving us like two months---this is a lot of pressure.

Moermond: I'm asking for an inspection, not for all the repairs to be done.

Tasha Feirro: then you'll throw more stuff at us which causes more stress and things. It is making us work harder and slowing us down. I don't think you're going to kick us out, but it's always in our minds. Give us time and patience so we can form that bond to make connections with people. It takes time to do that.

Weidensee: if there was an inspector that had to come in and then also the pathway after that. There is a lot of anxiety in this room right now so having things as clear as possible would help.

Moermond: Ms. Shaff can tell you the standard items covered in a fire inspection.

Shaff: in a typical inspection we are looking at the property not only for life-safety codes but also the property maintenance codes. And that's minimum compliance. D minus is the most we can enforce. Windows go up and down so people can go out. Smoke alarms work. Carbons work. People have adequate space and we have sanitation and/or combustible load addressed. Hot and cold running water. The appliances work. Code complaint electrical fixtures.

Moermond: if we have something that is three people in a bedroom with square footage for two. We have in the past worked with people to figure out a path forward. I'm not going to say it has to be done in a month. If we have something screaming life-safety at us then Rebuilding Together would have a concrete order to look at. We need to throw a rope around this. I'm not in the business of kicking people out of their houses. I've dealt with a lot of people in your situation. I know it is stressful, I do.

Tasha Feirro: I agree. I appreciate you working with us. We're going to get it done. We're just asking for time.

Moermond: and I can work with you but I would like that list. I can tell by the mortgage being paid and taxes being paid that you are good people doing your best. Are you willing to work with me by getting that inspection in the next couple of weeks? Otherwise, I have to pull the plug.

Tasha Feirro: yes.

Shaff: because Ms. Bono is the original inspector, I'd like Ms. Bono and Der Vue out there. Ms. Vue is back on Thursday.

Moermond: can you call Sarah Bono before 9 am on Thursday morning she'll have had a chance to find some time and talk to Supervisor Vue to get that scheduled. Schedule an inspection on or before July 5. We'll talk here again on July 9th.

Laid Over to the Legislative Hearings due back on 7/9/2024

2:00 p.m. Hearings

Fire Certificates of Occupancy

22	RLH FCO 24-39	Appeal of Vincent Hughes to a Fire Inspection Correction Notice at 1058 SELBY AVENUE.
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Sponsors: Bowie

Recommendation forthcoming (Attorney to submit additional materials).

Christopher Heinze, attorney, appeared via phone

Moermond: when we last spoke we talked and I had information in my records you didn't have, and we sent that to you to look over. Any comments or questions on that?

Heinze: that was information from 2016 we weren't privy to before. We weren't aware the fire inspection department had any contact without client prior to this year. I'm not sure it is germane to the issue at hand today. I only received these documents in the last 24 hours from my client. I have a copy of my client's driver's license which shows his primary address as 1050 Selby Avenue. Similarly, I have a photocopy of his primary vehicle registration, which is a Chevy Tahoe truck, registered to 1058 Selby Avenue in St. Paul. I can forward those to you.

Moermond: that would be helpful. No representation this is homesteaded, right?

Heinze: he is in the process of that as well. He hadn't because the tax implications have changed

Moermond: it sounds like he works full time in Kentucky.

Heinze: he is here for short spurts of time and works full time down there.

Referred to the City Council due back on 7/10/2024

3:00 p.m. Hearings

Other - Fence Variance

- 23 RLH OA 24-7** Appeal of Jonah Martin to an Appeal to Denial of Request for Fence Variance at 1672 MCAFEE STREET.

Sponsors: Yang

Grant a 3' variance (allowing 7' total) for north side of front plane of house to the right of way.

Jonah Martin, owner, appeared

Moermond: we didn't have a plan, is it just the entire yard?

Martin: yes.

Moermond: what are you doing in the driveway?

Martin: there will be swinging doors.

Bruhn: will there be a locking mechanism?

Martin: they said something about a pipe that goes into the asphalt. They were supposed to deal with all this stuff, I just had to deal with the variance portion. I have two children with autism in their teenage years. One already broke their arm climbing

the chain-link fence. I have disabled placards from the DMV. They tend to elope. He lacks special awareness, so the main thing is to have something they can't climb or see over. It isn't about privacy; it is about safety. I understand the City's standpoint about having it a certain height. My neighbors both agreed, they help look out for my boys. I'm not sure on the specs of the fence itself. I have the specs they gave me; I can forward that. I wrote down some different reasons: 1) safety of my autistic children 2) barrier to prevent wandering 3) handicap accessibility due to the eloping tendency. They're so trusting they would go with someone, no question. 4) I love St. Paul, but my neighborhood isn't the greatest. We've had a lot of theft. People fighting in the yard. The bus stop brings a lot of people. I've had to call St. Paul Police Department a few times. I can't stress enough how it is all about safety. We have chain link fence now, it is 4' high, and my older son is cognitively around six decided to climb and broke his arm. Had a titanium rod and 7 screws put in. 5) both the neighbors have tall trees in the area where you back out of the driveway, so there's already a visibility issue due to bushes on each side. I can't imagine a fence making much of a difference. I'll be taking those out to put this fence in, they're 12' tall. The Pins were checked and the fence there now is quite inside my property line, so I found those bushes were mine. 6) street racing on our street. We've had people's cars in our yard. 7) they have therapy dogs and I've had to lock them away because the dogs can't go in the front yard. It is all just safety. We're requesting the six feet around the house, and they'll remove the current fence.

Moermond: what is the existing fence like?

Martin: it is 4 feet. It doesn't extend to the front. The new fence would have the same footprint on that side. They have small kids as well, so they were excited about it. It's the backyard and part of the side yard.

Bruhn: the once fence would be the neighbor's north back yard?

Martin: yes, part of their backyard.

Bruhn: and you feel it is necessary to encapsulate the entire yard?

Martin: for my kids, yes. There are so many things I worry about with their disability. This fence has been approved by the CADJ waiver service; they've deemed it necessary for my boys.

Bruhn: I can only authorize variances because of three very limited reasons. I do have concerns about access for emergency vehicles. That being said if it was approved by Council we wouldn't be opposed.

Moermond: I do have concerns about the barricade/fortress nature of it. I understand the immediate neighbors may be ok. Future neighbors? If we could say it only applies for you, while you live there, with your children's needs it would be a different conversation. Do you have, or have you looked into a security system with an alarm that is triggered if the front door is opened?

Martin: we have that. it just happens in an instance. They're bigger than me. They're strong kids, they just aren't cognitively there. It isn't something they will ever grow out of. They are so tall and so big they could be gone in a second.

Moermond: what about an alarm code that goes off if a pin isn't entered, that could be 24 hours.

Martin: if I was approved for four foot, that's standard right? Would there be any issues then?

Moermond: four feet from front plane of the house to the sidewalk. You could do 7 feet in the back.

Bruhn: since it abuts a rear property we wouldn't have an issue with 7' fence on the north side, because they would be able to do so.

Moermond: I'm fine with a variance for the north side. So, we're left with the street side and the sidewalk. I'm going to noodle this a little bit. I'll try to have an answer to you by Friday.

Referred to the City Council due back on 7/10/2024