



# 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, June 25, 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.

**Sponsors:** Yang

*Layover to LH August 13, 2024 at 9 am for further discussion after closing. PO to submit evidence of financing, affidavit dedicating funds, and bids.*

*Eden Spencer, Greater Minnesota Housing Corporation, appeared via phone*

*Spencer: we've fallen along behind due to some staff vacations, so instead of the bids coming in now, it just went out last week. We expected it July 9, right after the 4th and then we will select the contractor in order to secure financing.*

*Moermond: is schedule for closing still July 19?*

*Spencer: everything is pushed 2 weeks.*

*Moermond: what are the chances of you guys getting the Performance Deposit posted before closing?*

*Spencer: my understanding was the \$5,000 was paid by the group Scott Fergus is representing and we're reimbursing them at closing.*

*Spencer: is it easier for us to submit payment of anew Performance Deposit and the funds paid prior be refunded?*

*Moermond: if you pay a new one they can request it back from the City.*

*Spencer: I'll talk to Scott Fergus and we'll coordinate back. We can do that.*

*Moermond: Mr. Yannarely, what's the Department's perspective?*

*Yannarely: we have no issues with the property at all. As far as the Performance*

*Deposit, we have one extended along with the current property owner. As long as it is posted and its part of the deal, we don't care.*

*Moermond: then the closing document is fine, saying what you intend to do.*

*Spencer: and that won't be probably for another few weeks.*

*Moermond: that brings us to August 2 for the closing.*

*Spencer: I talked to the lender and our insurance and that's the timeline we were thinking too.*

*Moermond: what I will do is lay this over to August 13. If you can get the paperwork to us ahead of time we can greenlight it before the Council adopts it.*

**Laid Over to the Legislative Hearings due back on 8/13/2024**

- 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

*PO to submit revised scope of work, schedule, bids and affidavit by COB July 5, 2024.*

*Bill Purtell, mortgage company, appeared via phone*

*Voicemail for True Yang left at 9:22 am: this is Marcia Moermond from St. Paul City Council calling you about 378 Sims. Received your email this morning, it lacked any indication on timing. What I want is July 5 and no later to have everything left on your to do list done. Revised work plans, bids, financing, affidavit, and they need to be approved so send it in earlier if you have questions on adequacy. July 10 Council Public Hearing so if the work isn't accepted you probably want to plan on attending that hearing.*

*Voicemail for Wesley Hart left at 9:25 am: this is Marcia Moermond from St. Paul City Council calling you about 378 Sims. Received an email indicating you're waiting for another bid before selecting your contractor. That's fine but timing isn't great. I'll send this to Council July 10th. By July 5 I'd like to have approved work plan, bids, affidavit. This is approved, so get it in earlier than July 5th if you have questions about that.*

*Moermond: any questions Mr. Purtell?*

*Purtell: no, I'll just wait for the email with new expectations on Friday.*

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

- 3      **RLH RR 24-27**      Ordering the rehabilitation or razing and removal of the structures at 303 CHARLES AVENUE within fifteen (15) days after the August 7, 2024, City Council Public Hearing.

**Sponsors:**      Bowie

*Remove within 15 days with no option to repair.*

*No one appeared*

*Staff report by Supervisor Joe Yannarely: the building is a one story, wood frame, single-family dwelling on a lot of 3,250 square feet. The property was found to be vacant, with multiple exterior code violations, by a vacant building inspector who opened files on October 2, 2022. The current property owner is Arnold L. and Ruth Brothen, (deceased) per Amanda and Ramsey County Property records.*

*On April 17, 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 April 24, 2024, with a compliance date of May 24, 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 \$25,000 on the land and \$74,500 on the building. Real estate taxes for 2022 and 2023 are delinquent in the amount of \$3,174.20, which includes penalty and interest. Taxes for the first half of 2024 in the amount of \$3,174.20 have not been paid. The property is scheduled for tax forfeiture July 31, 2024.*

*The vacant building registration fees were paid by assessment on November 3, 2023. As of June 24, 2024, a Code Compliance Inspection has not been done. As of June 24, 2024, the \$5,000 performance deposit has not been posted. There have been seven Summary Abatement Notices since 2022. There have been seven 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 \$75,000. The estimated cost to demolish exceeds \$30,000.*

*Moermond: looking at the photos, it appears the property isn't watertight?*

*Yannarely: it does not seem very secure from elements in any respect. Nor from outside people.*

*Moermond: the notice appears to be 3 people who might be children of the deceased have been notified of today's hearing. They signed for the notice on May 29 and May 30th. We do have people being aware of this. One final note it is scheduled to forfeit July 31, that precedes the August 7 Council date. We'll flag this for the County. Can Department of Safety & Inspections seek the bids and be ready to turn them over to the County.*

*Yannarely: sure.*

*Moermond: we can let Mr. Hanson know that is the intention.*

*Moermond: remove within 15 days with no option to repair.*

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

## **10:00 a.m. Hearings**

### **Making Finding on Nuisance Abatements**

- 4 **RLH RR 24-25** Making finding on the appealed substantial abatement ordered for 1971 NORTONIA AVENUE in Council File RLH RR 23-57.

Sponsors: Johnson

*The nuisance is abated and the matter resolved.*

*No one appeared*

*Moermond: it looks like the Code Compliance certificate was issued March 8?*

*Supervisor Joe Yannarely: yes.*

*Moermond: nuisance is abated and the matter resolved.*

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

## 11:00 a.m. Hearings

### Summary & Vehicle Abatement Orders

- 5 [RLH SAO 24-34](#) Appeal of Gonzalo R. Sanchez to a Summary Abatement Order at 1040 BUSH AVENUE.

Sponsors: Yang

*Layover to LH July 9, 2024 to discuss findings and deadlines based on July 8, 2024 inspection at 10 am.*

*Gonzolo Sanchez, owner, appeared via phone*

*Moermond: I'm following up on your appeal. What I was going to do was follow up with the building inspector about the fence and then we were looking for a plan from you about cleaning up the rest and pulling an electrical permit. I don't have anything in writing from you, so wanting to know what is going on. What's going on with the property?*

*Sanchez: we have the permit to work on the fence in the back, we just got it a few days ago. We are cleaning because they wanted the yard cleaned up. Move the wood and things like that. I'm going to have an operation this Friday, but they moved it to Monday. I'm working slowly, but I'm making progress. I don't know specifically you want me to do. It would have been nice if you could send me a list, so I can work orderly. Instead of working here, there, everywhere.*

*Moermond: there's a list in the orders you got already. The all-caps portion of the letter you received. That's the list of things. I was just checking the building permit situation and we have three permits in play. A fence permit, an April permit for 10 windows, and then a couple of weeks ago you applied for siding, roof over bay window. It didn't get approved. The lean-to wasn't approved by zoning; they said no. The fence was too tall and you needed new plans with the joist direction. That seems to have been rejected. Then there's question about the materials used for the fence.*

*Sanchez: I can lower the fence to 7 feet, it is a bit higher than 7 feet. That way it meets code. The wood rots, that's why I used the metal sheets. So it lasts longer. The*

ceiling was approved before because we had the truss faced correctly so the ceiling can be strong enough to hold the roof. If we did it in the opposite direction the snow would fall in front of the door. I asked Xcel energy to come and move the electrical wire towards the other end of the yard, they raised it up. They charged me over \$600. It was a lot of money I paid them. Doing more work will cost me \$3,000 to do the electrical work. I don't have a lot of money.

Moermond: as an owner you can apply for your own electrical permit. The building permit application provided they haven't approved. The roof extension they want more information and they didn't approve the lean-tos. You applied for that permit June 11, and June 18 they arrived at that decision. I'm not sure if they send a letter or what they do. I really need a plan for how you are going to address things. I understand you'll have surgery soon. Is Mr. Ortega helping?

Sanchez: yes.

Moermond: I can work with Ms. Martin to do some revised orders with something you can respond to. If it doesn't work out with the electric, you can remove it as well. That's an option too. Let's get your situation squared away. After new orders, Ms. Martin, would it make sense to revisit the property with the list and go through so he understands it? Maybe with a building inspector?

Martin: we can definitely do that again. Both the building inspector and CE officer were out there. He just continues to keep adding to the garage after the original orders in 2019. I will put the date and time with the letter and can meet him out there. I'm thinking second week of July for the walk through?

Sanchez: the garage needs to be removed?

Moermond: the lean to's need to be removed. Not the garage.

Sanchez: the car port?

Moermond: I believe so. But Ms. Martin can meet you and specifically point it out. What do you think the week of July 8th? Are you around?

Sanchez: yes.

Martin: let's do 10 am on July 8th.

Moermond: we'll look for you to be there. We'll include that information in a letter from our office as well. I'd like to talk to you again on July 9th then, and we can talk about the information from the 8th and where we go from there.

Sanchez: ok, I appreciate it.

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

**6 RLH SAO  
24-40**

Appeal of Cristy Hahn to a Notice to Cut Tall Grass And/Or Weeds at 957 FLANDRAU STREET.

Sponsors: Johnson

Grant the appeal noting landscaping meets the definition of managed natural landscape in Minnesota law.

*Cristy Hahn, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Lisa Martin: June 24, 2024 we did received a complaint for tall grass and weeds. These letters are automatically generated before an inspector even goes out. Inspector Muñoz did go out and take photos this morning. Most of the yard is absolutely gorgeous. Sometimes people call in complaints for flowers. It is more a portion of the back of the house, next to the sidewalk, there's some weeds, grass, and some pink flowers.*

*Moermond: so by and large a beautiful garden. Did you know the letter was automatically generated?*

*Hahn: no.*

*Moermond: so, it goes out sight unseen. An inspector goes out a few days later and if it is taken care of, great. Sometimes things get tricky now because things are different now than they were 30 years ago, when everyone's yards were generally uniform. You have the state statute in front of you. It seemed to me you had a managed natural landscape. I see both native and nonnative plants. People say it's a prairie planning this or that. That being said, it sounds like 90% of the yard falls under this statute. No code violation.*

*Hahn: is that section on Case next to the driveway? Our house sits funny. Behind our house is the fence between our house and neighbor, or there's behind the garage. Is it next to the driveway, because I'm working on that this summer, but there's no pink flowers there. There's pink along case, and they are along the sidewalk, but not behind the house. That's Japanese spirea.*

*Moermond: the section on the non-street side of the sidewalk. That's the portion we're talking about.*

*Hahn: that's planted and the section further, closest to the driveway, I'm currently working on. I just planted a bunch of new plants yesterday.*

*Moermond: for our purposes today I'm comfortable saying the Council grant your appeal. You're actively engaged in this last little piece of it. I'm not concerned about that. I'm sure this has been stressful and a pain, and here you are ending up where you wanted to be hopefully.*

*Hahn: if our yard were recognized as a natural landscape or pollinator garden, would that help?*

*Moermond: what will show up in the system is that the appeal has been granted and it meets the definition of native landscape.*

*Martin: I have found if people put up signs about native gardens or planting it sometimes helps to head off some of these calls.*

*Moermond: if you ever get a letter in the mail again, I've appealed this before and my appeal was granted.*

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

**1:00 p.m. Hearings****Vacant Building Registrations**

- 7 **RLH VBR  
24-35** Appeal of L Lee Coulter to a Vacant Building Registration Fee Warning Letter at 2117 MOHAWK AVENUE.

**Sponsors:** Johnson

*Deny the appeal.*

*Lee Coulter, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Matt Dornfeld: been in the Vacant Building program since May 27, 2010. It has been vacant, secured, and maintained the entire time. This was upgraded to a Category 3 Vacant Building in November 2023 due to the time in the program. I have met with Mr. Coulter at his properties on multiple occasions to explain the process and how we got to where we are. The Vacant Building fee is now past due as of May 27, 2024.*

*Moermond: I know you discussed this in the hearing, but can you restate what you are looking for today?*

*Coulter: I'm requesting the fee be reduced or put on hold since I am in the process of getting estimates. I have posted the \$5,000 Performance Deposit. We have the Code Compliance Inspection Report. Is there some relief I can get on the \$5,000 fee?*

*Moermond: it is hard with Category 3 Vacant Buildings and the resolution in front of Council to order it removed or repaired. I know we are talking repaired. Its category is a driver on this. I have a thought that may reduce it for you, but it is not a waiver. Let it ride and do not pay the Vacant Building fee now. Wait for it to go to assessment, and if you are done with the rehab within six months of May 27, November 27, I can recommend it is reduced by half. I can't do that yet though. I need to see the work being finished before I can do that.*

*Coulter: I can't get building permits until you sign it off, so November 27 from May 27—can the six months start when I get the greenlight to start working?*

*Moermond: no, it runs on its own clock. 14 years in the Vacant Building program kind of buys you this hassle, I'm afraid. I know it is a hassle. Mr. Dornfeld will make a note that the unpaid fee makes no impact on your ability to pull permits.*

*Coulter: if I pay it, can I request a reduction in fee later?*

*Moermond: no, once it is paid, it is agreeing to it.*

*Coulter: so, what do I do at this point? Let it go to assessment?*

*Moermond: yes. Then you will have the opportunity to appeal this as an assessment, at which point I can prorate it if you are done in the six-month timeframe. A May 27*

*anniversary date puts you to the end of November. Hopefully the Council can grant time sooner versus later. We talked too that if Mr. Yannarely and I are in agreement that the plans and everything is acceptable you can potentially be approved right away for the issuance of permits. That could come before the Council Public Hearing.*

*Coulter: regarding our July 9th meeting, exactly what are you expecting from me then? I am getting estimates. I won't have all of them. I can get a financial report to you. I need to know what you are expecting from me for July 9th.*

*Moermond: I don't have your file in front of me, but I can ask staff to confirm with you. It is the same as the letter that was sent out, I would refer to that. The letter was sent June 14 by email.*

*Coulter: so, refer to the June 14 email and if I have questions, I can—is that Zinny or Jenny or something?*

*Moermond: yes. Joanna Zimny.*

*Coulter: yes, if I have any questions I can call her?*

*Moermond: yes.*

*Coulter: will you send me a letter regarding today? Not paying the assessment and letting it roll over?*

*Moermond: we'll send you a letter confirming my recommendation to the Council is to deny your appeal today and not give a waiver; however, I recommend you let this go to assessment if you want to ask for it to be prorated at a later date.*

*Coulter: and you'll send a confirmation on that stating that so if we get more letters—*

*Moermond: we should be ok on that front.*

*Coulter: I'll refer back to the June 14 email to get a better idea of what I am supposed to have for you.*

*Moermond: exactly.*

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

**8 RLH VBR  
24-36**

**Appeal of David Chavez to a Vacant Building Registration Notice at 721  
FOURTH STREET EAST.**

**Sponsors:** Johnson

*Grant the appeal and release the property from the VB program.*

*David Chavez, owner and occupant of Unit 1, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Matt Dornfeld: this was made a Category 2 Vacant Building June 6, 2024 per a condemnation referral from CE. Inspector Hesse opened the Vacant Building file and notes there was no electric or garbage service at the property. property owner was running a generator to replace the electrical shut off. Placards*



*posted, took photos. House appeared occupied. Sent a no Code Compliance letter. As of June 13, the pending work order remains that way.*

*Moermond: there's also a Summary Abatement Order?*

*Dornfeld: there was a work order pending from Code Enforcement to clean up the yard, when the file was referred.*

*Chavez: my ex-girlfriend got me kicked out. I was out of the house for 30 days. She left garbage everywhere. I did clean it up. I had everything in a trailer, then the City came and took my trailer, emptied my trailer, took my fencing. I bought new appliances that were by the back yard. They took them. I turned my power on 3 days after I got the notice. I called for an inspection, the gentleman gave me another 3 or 4 days. I got it done. My yard is spotless.*

*Moermond: tell me about the generator.*

*Chavez: I was using that when the power was out. he told me to stop that, and I did.*

*Moermond: Mr. Dornfeld, is the power back on? June 6 is the reinspection.*

*Dornfeld: June 13 it shows the house appears occupied, but no mention of the generator.*

*Moermond: you are back in the house, sir?*

*Chavez: yes, and my power is on.*

*Moermond: we could use some confirmation of that, and if we get that, or an inspector can swing by?*

*Chavez: sending someone is fine.*

*Dornfeld: I certainly can check.*

*Moermond: perhaps you can check the yard is cleaned up when you are there?*

*Dornfeld: I can call Xcel.*

*[Note: 6/26/24 Inspector Hesse checked in with Xcel and they confirmed Unit 1 has restored power, so appeal granted. - JZ]*

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

**9 RLH VBR  
24-37**

Appeal of Lee Begnaud to a Vacant Building Registration Renewal Notice at 736 OAKDALE AVENUE.

**Sponsors:** Noecker

*Waive VB fee for 120 days (to November 10, 2024) and allow permits.*

*Lee Begnaud, owner, appeared via phone*

*[Moermond gives background of appeals process]*

Staff report by Supervisor Matt Dornfeld: entered the Vacant Building program May of 2017. It was upgraded to a Category 2 file in July 2019 due to being in the Vacant Building program for more than 2 years. Other than a few sidewalk complaints for snow and ice it has been vacant and secure. I see a building and electrical permit pulled in April. The Vacant Building fee is coming due on July 10, 2024.

Moermond: tell me Ms. Begnaud, why you are appealing?

Begnaud: we just bought the building. We put an offer in contingent upon it getting rezoned to T2. We worked with Rebecca Noecker and had several meetings for getting it approved for rezoning. The approval went through February 7. We purchased February 15, 2024. When we looked at it, it was in great shape. Some graffiti, but not much. When I called Xcel to change the energy into my name, she said it was an abandoned building. We met with Jim Williamette to get our building permit. We've been working with our architect and can get our final building permit in July to start building. We are itching to start. When I got this in mail I didn't understand why I was getting the fine. They told me to call Clint Zane and he told us a complaint was made in 2019 before we bought it. He was going to look at it yesterday. We bought the building and put signage up, take care of grass and snow. It isn't abandoned; we just bought it.

Moermond: I don't doubt that for a minute. It was put in the Vacant Building program after a 2-year grace period. It wasn't because it was abandoned, it was put into the program because it wasn't being used for a significant length of time. No prospects of occupation in the near future. It met the definition of a Vacant Building in Code. That is what you inherited when you bought the property. You're moving forward with rehab, but the finish line for getting out of the Vacant Building program is getting your Fire Certificate of Occupancy. That would allow it to be used for your prosed use, that's the goal. What is your timeline?

Begnaud: we met last Thursday and during our meeting with the architect we had a call about the Vacant Building fee. I've never bought a building before, but the codes or whatever the City needs to get the permits so we can get going. They can get us that without the "final" final drawing. We can probably get that in a week or two.

Moermond: what is your builder saying for a timeline?

Begnaud: we are hoping August. We keep getting pushed though, since we're such a small client. It has been frustrating. We have estimates and people lined up. We're just waiting on permits. Once we get those I feel like we could be done in three months. I just don't know if the roofer, electrician, drywaller is pushing us to the bottom of their list too. Any grace you can give to give us to get it done.

Moermond: yes. I can recommend that the City Council give 120 days. Those 120 days starts July 10th. That brings you to November 10th. If you don't have your Certificate of Occupancy by then, it will be processed as an assessment. That is also appealable. If you are done six or seven months after the anniversary date, I have a record of prorating the Vacant Building fee. I think you got a bit of misdirection from Mr. Zane about whether or not it should be in the Vacant Building program or not. That isn't his call. That isn't on you, I just wanted to round that out. I think you were told something that wasn't true, even though they had good intentions.

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

**1:30 p.m. Hearings****Orders To Vacate - Fire Certificate of Occupancy**

- 10 [RLH VO 24-21](#) Appeal of Rashad Kennedy, That Property Place LLC, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 741 CASE AVENUE.

**Sponsors:** Yang

*Layover to LH July 9, 2024 to discuss deadlines for compliance based on full Fire C of O inspection.*

*Rashad Kennedy, owner, appeared*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Mitch Imbertson: residential building in the Fire Certificate of Occupancy program. The current process started 3/20 with a complaint regarding a broken window. Inspector went out and initial orders issued March 25 for a number exterior maintenance items. Reinspections made with follow up letters 4/2, 4/22, 5/2 and May 28 we revoked the Certificate of Occupancy for noncompliance. Revocation letter sent May 28 which had orders to comply or vacate by June 30 with a June 14 reinspection and requesting access to the interior. June 14 no access, wasn't met and tried to leave a message for property management. Window was repaired, but the other items remained the same. The updated letter was sent with the reinspection or vacate scheduled for July 1 at 2 pm. The expectation at that time would be full compliance and access for interior inspection or to vacate the property if the work isn't done. Of course, that is stayed pending this appeal.*

*Moermond: what is going on?*

*Kennedy: I had a tenant downstairs that got in a fight and she threw a rock. That window has been replaced. We will repair all those items, but I do need more time. I had to order a new window for upstairs, it is four to six weeks out. It is special order. We do have it boarded for now. There is one item about the chimney being weathered and worn. I agree, however it is fine structurally and is safe. It doesn't look that great, but it is safe.*

*Moermond: no access to interior yet? What's the deal with that?*

*Kennedy: I haven't received any of the mail, it was going to an old address. I told the inspector that, and he emailed them to me after that. Before that I wasn't receiving them. This happened with another property as well.*

*Moermond: they were going to South St. Paul.*

*Kennedy: yeah, that property sold.*

*Moermond: we can send you the change of Responsible Party form for your Fire Certificate of Occupancy. I'm willing to work with you on one thing if you work with me on another. I'd like that interior access for inspection and I will work with you on*

*exterior items. Would you be available July 1?*

*Kennedy: yes.*

*Moermond: I'm thinking about a second opinion on the bricks. He's a licensed contractor. He knows bricks. You have people who knows bricks. Let's get another opinion and see what you think.*

*Imbertson: I did view the photos but with the distance and resolution when zooming it is hard. It did appear to need repair from what I could see, but that isn't a substitute for being onsite. We wouldn't worry cosmetically but it looked like some was coming apart and bricks were missing or areas that need tuckpointing. It is lined, so it isn't a ventilation issue, just a structural integrity issue.*

*Moermond: I'll send this to Council on July 17th. By that time we'll have the window ordered, some sort of receipt or invoice, inspectors will have had eyes on and we can talk on July 8 and figure out exactly what we need to be doing. We'll discuss specific extensions then as a package.*

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