



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
Mai Vang, Hearing Coordinator
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651-266-8585

Tuesday, August 6, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 [RLH TA 24-292](#) Ratifying the Appealed Special Tax Assessment for property at 842 LAFOND AVENUE. (File No. J2410B, Assessment No. 248109)

Sponsors: Bowie

Approve the assessment.

No one appeared

Voicemail at 9:16 am: this is Marcia Moermond from St. Paul City Council trying to reach Sajid Terzic about your appealed special assessment for boarding at 842 Lafond. We'll try you back in 10 to 15 minutes.

Voicemail at 9:26 am: this is Marcia Moermond from St. Paul City Council calling you again about your appealed assessment for a boarding. You haven't been available two weeks ago or today so I'm going to recommend the Council approve this assessment. If you want to appeal further to the Council information on how to do so is also on the same notification that told you about your original Legislative Hearing.

Referred to the City Council due back on 8/14/2024

- 2 [RLH TA 24-301](#) Ratifying the Appealed Special Tax Assessment for property at 1020 (1022) AURORA AVENUE. (File No. VB2410, Assessment No. 248814)

Sponsors: Bowie

Refer back to LH September 3, 2024 at 9 am.

No one appeared

Voicemail left at 9:19 am: this is Marcia Moermond from St. Paul City Council calling Tamiko Trott-Binns about your appealed tax assessments for 1020 Aurora. One a Vacant Building fee, one for removing a vehicle. We'll try you back again in 10 to 20 minutes.

Voicemail left at 9:30 am: good morning this is Marcia Moermond from St. Paul City

Council calling you again. I still have these two assessments you've appealed. Your Council Public Hearing on the Vacant Building fee, which is the larger of the two, is on for Council Public Hearing next Wednesdays. This is a continuation from last week. You definitely want to connect with staff on this. The other has a Council Public Hearing on September 18, so we can do another hearing date. Reach out to staff on that as well to schedule one.

Referred to the City Council due back on 8/14/2024

- 3 [RLH TA 24-302](#) Ratifying the Appealed Special Tax Assessment for property at 1020 (1022) AURORA AVENUE. (File No. J2401V, Assessment No. 248000)

Sponsors: Bowie

Layover to LH September 3, 2024 at 9 am. (CPH 9/18)

No one appeared

Voicemail left at 9:19 am: this is Marcia Moermond from St. Paul City Council calling Tamiko Trott-Binns about your appealed tax assessments for 1020 Aurora. One a Vacant Building fee, one for removing a vehicle. We'll try you back again in 10 to 20 minutes.

Voicemail left at 9:30 am: good morning this is Marcia Moermond from St. Paul City Council calling you again. I still have these two assessments you've appealed. Your Council Public Hearing on the Vacant Building fee, which is the larger of the two, is on for Council Public Hearing next Wednesdays. This is a continuation from last week. You definitely want to connect with staff on this. The other has a Council Public Hearing on September 18, so we can do another hearing date. Reach out to staff on that as well to schedule one.

Laid Over to the Legislative Hearings due back on 9/3/2024

- 4 [RLH TA 24-300](#) Ratifying the Appealed Special Tax Assessment for property at 759 CHARLES AVENUE. (File No. J2411B, Assessment No. 248110)

Sponsors: Bowie

Approve the assessment.

No one appeared

Moermond: the appellant is out of the country but did submit additional information in writing. We also provided after our last hearing the requested documents and the invoice, fire report, and photos. Ms. Vang asked in follow up if she could give a specific reason for appealing and her response was "because I don't have experience in handling this case I would like to ask for a waiver of the fee." It is whether the services were performed, which it was done in an emergency after a fire. I have no option but to approve this assessment.

Referred to the City Council due back on 9/18/2024

- 5 [RLH TA 24-308](#) Ratifying the Appealed Special Tax Assessment for property at 1035 BRADLEY STREET. (File No. VB2410, Assessment No. 248814)

Sponsors: Kim

Approve the assessment.

*Sherita Mosley-Coats, o/b/o Quality Residences, appeared via phone
Jay Mitchell, o/b/o Quality Residences, appeared via phone*

Mosley-Coats: can you call Jay? I'm driving.

Moermond: no problem.

[Jay Mitchell called in]

Moermond: Sherita Mosley-Coats asked us to call you about 3 properties, are you familiar?

Mitchell: I'm pretty familiar.

[Moermond gives background of appeals process]

Moermond: 1035 Bradley first.

Staff report by Supervisor Joe Yannarely: this is a Category 2 Vacant Building, has been in the program since February 7, 2023. This is for 2024 to 2025. The total assessment proposed is \$5,075. It has been secured numerous times in the last year.

Moermond: where are we at in terms of getting this back online?

Mitchell: there were squatters, we had to get them out. It has been secured a couple of times. There's an application going in this week for the Code Compliance inspection. There was a fire inspection and before that could be done the squatters broke in and that's why it went to Vacant Building.

Yannarely: the Code Compliance was done March 27.

Mitchell: ok, I'm not as familiar about this as the other two.

Yannarely: no permits pulled yes.

Moermond: without even a permit pulled I'm kind of stuck on this one. Would making it payable over 5 years be helpful?

Mitchell: I think so. I haven't spoken to him on that.

Moermond: let's do this. I'll recommend it is made payable in one year, but if he's looking for 5, give Mai Vang a call within the next week. We'd need to know by August 13 and we can amend the resolution.

Referred to the City Council due back on 8/14/2024

6 [RLH TA 24-307](#)

Ratifying the Appealed Special Tax Assessment for property at 309 MAPLE STREET (743 Third Street East/311 Maple Street). (File No. VB2410, Assessment No. 248814)

Sponsors: Johnson

Approve the assessment.

Jay Mitchell, o/b/o Quality Residences, appeared via phone

Staff report by Supervisor Joe Yannarely: this is a Category 2 Vacant Building that entered the program after a vehicle hit it the first time. Total proposed assessment of \$5,075.

Moermond: it does seem to be a magnet for vehicles. Do we have a Code Compliance on this one?

Yannarely: no.

Moermond: this has been in the Vacant Building program for two and a half years. I don't know what to say.

Mitchell: we won't have the ability to start the work until insurance is settled. It has been hit 3 times in the last two years.

Moermond: so, no Code Compliance following any of those hits to the building. I wouldn't move in there myself.

Mitchell: I hear you. The last one was a public servant. It is crazy. I can pull a Code Compliance but once I do that the clock starts, and if it takes 9 months to figure out insurance.

Moermond: that's a solid point. I'll leave it to the insurance. I'll recommend it is ratified. It is fully six months into the billable year now with no prospect of getting out anytime soon. If you want to pursue that with any of the insurance folks with vehicles, I leave that up to you. Let us know how the owner wants to handle this if he wants it payable over a number of years. Just call us back if there's a preference.

Referred to the City Council due back on 8/14/2024

7 [RLH TA 24-303](#)

Ratifying the Appealed Special Tax Assessment for property at 342 BATES AVENUE. (File No. J2420R, Assessment No. 248524) (Legislative Hearing on August 6, 2024)

Sponsors: Johnson

Continue the CPH to August 14, 2024. Approve the assessment.

Ty Lawrence appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: Summary Abatement Order is issued January 16, 2024

To remove the plastic bags in the recycling bins. Compliance date of January 23. Rechecked February 1, 2024 and still there. Work order sent and Parks did the work on February 5 for a total assessment of \$343.

Moermond: Mr. Lawrence, why are you appealing?

Lawrence: I've been trying to work with law enforcement and the City about a problem tenant. He continually stole mail so when we would try to find out what exactly was

being communicated and things were getting mixed up because we had to move to a P.O. Box and when I did finally contact an inspector I wanted to explain what was going on. I'm just hoping the City can meet me in the middle, but it is causing a hardship to adjust for every time Antione Davis damages the property. He moved down the street and is still a problem and not getting any reprieve from law enforcement with this issue. He continues to create issues for the property.

Moermond: and today we're talking about the recycling and garbage that seem to be permanently on the street that. That certainly seems to be within your control. Why didn't you deal with that?

Lawrence: Mr. Davis is the primary issue. We would send staff to address the issues and he would put more items in and move it back to the street. I hear you and I understand it is our responsibility, but I'm letting you know we've done everything in our power to stay on top of the issue. When you have a problem tenant it isn't as easy as it may seem. That's what we were trying to let inspectors know.

Moermond: I have a note in the computer that one of the Supervisors wrote in July, met a couple from the building and the male stated he was the owner. I explained rechecking for trash and vehicles. He stated he's getting it cleaned up. He said the stuff in the street was from dumping things. Tenant moved out July 1. He was replacing sheetrock. I took photos and left because he became loud and started yelling. So, I see the problem existing in December, January, and February. I have to tell you also we have two complaints in the record from neighbors indicating this is a chronic problem and has been for a very, very long time. I guess it seems like a simple fix to me and I'm not sure what relief you are looking for from law enforcement that you wouldn't be able to provide for yourself. I'm not clear on that.

Lawrence: I understand that. Mr. Antione Davis has been a problem tenant and remains one even though we removed him in July. He stalks the property, breaks windows, and is a continual issue causing repair. All the items in January and spring were from him. The interior items he left were moved outside to air out. The same individual is the reason for all these citations. I know you think it is simple, but it isn't when you have a violent individual. He's gone, it is now August. I would like to meet with the City in the middle since we were doing our best and law enforcement wasn't able to help stop Mr. Davis.

Moermond: I am seeing more than an adequate opportunity was given to deal with this. You were given more rope than I personally would have given. I'm going to recommend approval on both assessments. The Council Public Hearings is tomorrow and August 14, and we can put them both on August 14 if that's helpful.

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

8 [RLH TA 24-304](#)

Ratifying the Appealed Special Tax Assessment for property at 342 BATES AVENUE. (File No. J2410E, Assessment No. 248316)

Sponsors: Johnson

Approve the assessment.

Ty Lawrence appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: Summary Abatement Order is issued January 16, 2024
To remove the plastic bags in the recycling bins. Compliance date of January 23.
Rechecked February 1, 2024 and still there. Work order sent and Parks did the work on February 5 for a total assessment of \$343.

Moermond: Mr. Lawrence, why are you appealing?

Lawrence: I've been trying to work with law enforcement and the City about a problem tenant. He continually stole mail so when we would try to find out what exactly was being communicated and things were getting mixed up because we had to move to a P.O. Box and when I did finally contact an inspector I wanted to explain what was going on. I'm just hoping the City can meet me in the middle, but it is causing a hardship to adjust for every time Antione Davis damages the property. He moved down the street and is still a problem and not getting any reprieve from law enforcement with this issue. He continues to create issues for the property.

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Lawrence: Mr. Davis is the primary issue. We would send staff to address the issues and he would put more items in and move it back to the street. I hear you and I understand it is our responsibility, but I'm letting you know we've done everything in our power to stay on top of the issue. When you have a problem tenant it isn't as easy as it may seem. That's what we were trying to let inspectors know.

Moermond: I have a note in the computer that one of the Supervisors wrote in July, met a couple from the building and the male stated he was the owner. I explained rechecking for trash and vehicles. He stated he's getting it cleaned up. He said the stuff in the street was from dumping things. Tenant moved out July 1. He was replacing sheetrock. I took photos and left because he became loud and started yelling. So, I see the problem existing in December, January, and February. I have to tell you also we have two complaints in the record from neighbors indicating this is a chronic problem and has been for a very, very long time. I guess it seems like a simple fix to me and I'm not sure what relief you are looking for from law enforcement that you wouldn't be able to provide for yourself. I'm not clear on that.

Lawrence: I understand that. Mr. Antione Davis has been a problem tenant and remains one even though we removed him in July. He stalks the property, breaks windows, and is a continual issue causing repair. All the items in January and spring were from him. The interior items he left were moved outside to air out. The same individual is the reason for all these citations. I know you think it is simple, but it isn't when you have a violent individual. He's gone, it is now August. I would like to meet with the City in the middle since we were doing our best and law enforcement wasn't able to help stop Mr. Davis.

Moermond: I am seeing more than an adequate opportunity was given to deal with this. You were given more rope than I personally would have given. I'm going to recommend approval on both assessments. The Council Public Hearings is tomorrow and August 14, and we can put them both on August 14 if that's helpful.

Referred to the City Council due back on 8/14/2024

STREET. (File No. VB2411, Assessment No. 248817)

Sponsors: Johnson

Layover to LH September 3, 2024 at 9 am for further discussion (CPH 9/18)

Ty Lawrence appeared via phone

Staff report by Supervisor Joe Yannarely: Summary Abatement Order was issued remove landscaping rock from rear driveway and replace with Class 5 gravel or similar gravel. Multiple rechecks and Excessive Consumption fees. This is for two of those Excessive Consumption fees plus a service charge, total assessment of \$303.

Moermond: two Excessive Consumption fees plus a \$35 fee. Those orders went out in June 2023. Notes say it is not done yet. Why are you appealing

Lawrence: it belongs to Mr. Gerry Gillespie who travels for work 6 to 8 months of the year. As far as the landscape rock I've been working with him because he was facing foreclosure. I was helping him for free, but he didn't have the funds to remove the landscaping rock. The local high school football team he coaches are going to come help move the rock so the class give is exposed and we can be in compliance.

Moermond: the notice this was going into the Vacant Building program went out February 1, 2024. There would have been six weeks to appeal that. Can you tell me why he didn't appeal then?

Lawrence: I don't think he was in town, that's why he asked for me to be involved. Right now, his family members were staying there. I don't know why he didn't appeal.

Moermond: Mr. Yannarely, there are a couple different categories of Vacant Building and looking for some feedback on how the Department called it.

Yannarely: opened January 31 this year, previously illegally occupied without a Certificate of Occupancy, illegal vehicle in back yard, sent orders to secure.

Moermond: does it say more about that illegal occupation?

Yannarely: I don't see anything more. Note in April says no sign of unauthorized entry. Open to entry was at the beginning. Just work orders for tall grass and weeds, twice in June.

Moermond: six orders since January 2024. Maintenance issues for sure.

Yannarely: I see no notes it is illegally occupied or occupied at all.

Moermond: he has people there now?

Lawrence: yes, and they have been there for some time.

Moermond: those work orders tell me that the property isn't being maintained unless someone is sending a letter, and then even then it is only sometimes. It isn't cheap to have the City do it. We have a couple of problems here. If this is a Category 2 Vacant Building it can't be legally reoccupied until it passes an inspection. That's one of the things that needs to be engaged in this conversation. He would have received notice of those requirements at the time it went in the Vacant Building program in January.

Maybe he was out of town and not reading his mail but it was found open with people in there. That's not great.

Lawrence: he came back and repaired it himself. I don't understand where the City did repairs, because I have a list of repairs done as a result of the forced entry. How was the conclusion made?

Moermond: the City isn't charging you for securing the building. They were charging you for cleanup work on the property. That is most likely mowing, shoveling, picking up trash.

Lawrence: I'll contact Mr. Gillespie because he has proof of him doing maintenance.

Moermond: and that's not in front of me today. It just weighs in this discussion.

Yannarely: August 5 tall grass and weeds order was just issued. Last work order was June 17 for tall grass and weeds. The other work order was prior to it being in the Vacant Building program.

Are you saying someone lives there now?

Lawrence: they were occupying the entire time, including the time he was gone for work, it was broken into and we repaired it.

Moermond: the City didn't secure it. That's not quite the issue.

Yannarely: are they renting it?

Lawrence: it is his family sir. He moved them in so he didn't have these issues reoccurring.

Moermond: is this immediate family?

Lawrence: to my knowledge. I didn't ask who they are. I believe it is aunt and children.

Moermond: the reason for asking has to do with whether it can be classified as owner-occupied. That doesn't mean a relative homestead, it is whether it is owner occupied. A nuclear family residing there versus a more distant relation. I'll talk to the Vacant Building staff on this one. I will tell you though, for someone being there the property hasn't been taken care of if someone is sending orders out. The fact it wasn't appealed. These are all clues that someone isn't being responsible for it. I'll look at this more but I'm explaining what the flags are for me.

Lawrence: we just had a large branch removal a week ago. I'm having a hard time seeing where the consistency lies here. I'm wondering how we can communicate with inspection officers because I have left several Voicemails and none are ever returned.

Moermond: any notes in the file about calls coming in?

Yannarely: no notes indicating that.

Moermond: Excessive Consumption goes forward August 14. Vacant Building fee September 18. We'll go with September 3 and try and finish this conversation at that time. I cannot do a hearing on the cleanup work conducted until those assessments

come in front of me.

Yannarely: I texted Dan Hesse and he's never had any calls and has never seen any movement or trash bins out.

Martin: he left me one message for 342 Bates and have tried calling him back 3 times and he never answers or returns my call. It has been a Vacant Building on and off for years.

Laid Over to the Legislative Hearings due back on 9/3/2024

10 [RLH TA 24-306](#)

Ratifying the Appealed Special Tax Assessment for property at 284 MAPLE STREET. (File No. J2410E, Assessment No. 248316)

Sponsors: Johnson

Refer back to LH September 3, 2024 at 9 am for further discussion.

Ty Lawrence appeared via phone

Staff report by Supervisor Joe Yannarely: Summary Abatement Order was issued remove landscaping rock from rear driveway and replace with Class 5 gravel or similar gravel. Multiple rechecks and Excessive Consumption fees. This is for two of those Excessive Consumption fees plus a service charge, total assessment of \$303.

Moermond: two Excessive Consumption fees plus a \$35 fee. Those orders went out in June 2023. Notes say it is not done yet. Why are you appealing

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Moermond: six orders since January 2024. Maintenance issues for sure.

Yannarely: I see no notes it is illegally occupied or occupied at all.

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Moermond: those work orders tell me that the property isn't being maintained unless someone is sending a letter, and then even then it is only sometimes. It isn't cheap to have the City do it. We have a couple of problems here. If this is a Category 2 Vacant Building it can't be legally reoccupied until it passes an inspection. That's one of the things that needs to be engaged in this conversation. He would have received notice of those requirements at the time it went in the Vacant Building program in January. Maybe he was out of town and not reading his mail but it was found open with people in there. That's not great.

Lawrence: he came back and repaired it himself. I don't understand where the City did repairs, because I have a list of repairs done as a result of the forced entry. How was the conclusion made?

Moermond: the City isn't charging you for securing the building. They were charging you for cleanup work on the property. That is most likely mowing, shoveling, picking up trash.

Lawrence: I'll contact Mr. Gillespie because he has proof of him doing maintenance.

Moermond: and that's not in front of me today. It just weighs in this discussion.

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Are you saying someone lives there now?

Lawrence: they were occupying the entire time, including the time he was gone for work, it was broken into and we repaired it.

Moermond: the City didn't secure it. That's not quite the issue.

Yannarely: are they renting it?

Lawrence: it is his family sir. He moved them in so he didn't have these issues reoccurring.

Moermond: is this immediate family?

Lawrence: to my knowledge. I didn't ask who they are. I believe it is aunt and children.

Moermond: the reason for asking has to do with whether it can be classified as owner-occupied. That doesn't mean a relative homestead, it is whether it is owner occupied. A nuclear family residing there versus a more distant relation. I'll talk to the Vacant Building staff on this one. I will tell you though, for someone being there the property hasn't been taken care of if someone is sending orders out. The fact it wasn't appealed. These are all clues that someone isn't being responsible for it. I'll look at this more but I'm explaining what the flags are for me.

Lawrence: we just had a large branch removal a week ago. I'm having a hard time seeing where the consistency lies here. I'm wondering how we can communicate with inspection officers because I have left several Voicemails and none are ever returned.

Moermond: any notes in the file about calls coming in?

Yannarely: no notes indicating that.

Moermond: Excessive Consumption goes forward August 14. Vacant Building fee September 18. We'll go with September 3 and try and finish this conversation at that time. I cannot do a hearing on the cleanup work conducted until those assessments come in front of me.

Yannarely: I texted Dan Hesse and he's never had any calls and has never seen any movement or trash bins out.

Martin: he left me one message for 342 Bates and have tried calling him back 3 times and he never answers or returns my call. It has been a Vacant Building on and off for years.

Referred to the City Council due back on 8/14/2024

11 [RLH TA 24-313](#)

Ratifying the Appealed Special Tax Assessment for property at 574 - 576 SHERBURNE AVENUE. (File No. VB2411, Assessment No. 248817)

Sponsors: Bowie

Layover to LH September 3, 2024 at 9 am for further discussion. Staff to look into code relating to carriage house/address/VB. (CPH 9/18)

Raeisha Williams, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this is an annual Vacant Building fee for the property, for the carriage house located behind the duplex located at 572/574 Sherburne. Been in the program since 2013. Total proposed assessment of \$5,075.

Moermond: tell me what is going on and why you are appealing?

Williams: when we were purchasing it from Commissioner Blake who had State funding to rehab it. We purchased in 2020 and in order for the City to move forward with allowing us to live in both units (my mother lives downstairs) we had to combine our carriage house, alley house, as the garage. So that is how it is licensed. That's how I was informed of it to do occupancy. That's been rewrapped and the outside is no longer old siding. It is on our property; we inhabit the main property. The inside we recently gutted and it is bare bones inside. We want to afford with renovating it, but since 2020 we've been charged this fee on top of our regular taxes, which is almost \$7,000. So, paying \$12,000 to the City and County to maintain the property. You would think the ordinance would apply to standalone property. Our property it is a second potential dwelling unit, and we vacate the main property. We'd like it to come of the books as a vacant property.

Yannarely: a correction, the carriage house had a Code Compliance done in 2019.

Moermond: the City can't un-ring the bell for past years. That would be something you may have luck with litigating but there are specific laws applying to appealing tax assessments. I'd like to look into this more. It is an awkward situation, the best way to describe it, since it has been going on for a while. Part is connected to disclosures and part is connected to a lack of appeal in the past. Normally not appealing means you were agreeing with it. I hear you say you thought it was part of your normal taxes.

Williams: I think its ignorance for being a first-time homeowner. I get a bill; I don't want my house to be taken. The fee went up and I won't be able to keep my property. I called my City Council office and learned about my options.

Moermond: we need to do some homework on our side to figure out what is going on from the City's perspective and maybe some options to get out from under the Vacant Building program. I want to do that, and I also wanted to ask you if you have worked with any of the local nonprofits like NeighborWorks that may aid with the rehab.

Williams: I recently applied for the City's and I didn't qualify. We also applied for the Rondo rehab loan.

Moermond: let's talk again September 3 to give time to have some conversations. Can you verify the address numbers for each of the buildings?

Williams: the way our mortgage and the County has it is the property is under 574 Sherburne. When we purchased on the building and the mail, the bottom is 574 and top is 572. When I get official mail it comes to me at 572 Sherburne. We weren't ever given an address for the alley house.

Moermond: I think that's 576 but we'll sort it out.

Laid Over to the Legislative Hearings due back on 9/3/2024

10:00 a.m. Hearings

Special Tax Assessments

- 12 RLH TA 24-296** Ratifying the Appealed Special Tax Assessment for property at 1627 DARLENE STREET. (File No. 2411T, Assessment No. 249013)
- Sponsors:** Yang
- Approve and make payable over 10 years.*
- No one appeared*
- Moermond: the owner here is simply asking to have payments made payable over 10 years. So recommended*
- Referred to the City Council due back on 9/18/2024**
- 13 RLH TA 24-312** Ratifying the Appealed Special Tax Assessment for property at 1777 LAUREL AVENUE. (File No. J2409P, Assessment No. 248408)
- Sponsors:** Jalali

Delete the assessment.

No one appeared

Moermond: recommend deletion, we have no before photo taken by staff. Ironically one was produced by the owner as part of the police report he filed. The after photo taken by the department when they drove by isn't of that area anyway. Neither photo is present, really. Deletion.

Referred to the City Council due back on 9/18/2024

14 [RLH TA 24-295](#) Ratifying the Appealed Special Tax Assessment for property at 955 MAY STREET. (File No. 2410T, Assessment No. 249012)

Sponsors: Jost

Layover to LH August 20, 2024 at 10 am for further discussion. Staff to speak to City Attorney re: assessment responsibility and feds.

Jacob Hall, Blackstone 1, LLC, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Karl Mueller: 30 " silver maple deemed as dangerous was marked in back yard on October 24, 2023. Compliance date of November 22. Compliance check done January 4, 2024. No work was done, took photos. Work done by contractor, Hugo's tree service, for a total proposed assessment of \$2,586.67.

Moermond: tell me why you're appealing Mr. Hall?

Hall: this property was with the mortgagee, the bank, at the time all of this happened. We didn't receive this property—

Moermond: we being?

Hall: I am project manager for HUD. I received a notice from the previous FSM and they didn't do anything about it. That was before it came to HUD. It looks like we got it February 5, 2024. Everything you are talking about is from 2023?

Moermond: the tree removal happened April 2024.

Hall: April it was with a different FSM. April 9, inspection ongoing. Ok. Like I said we got this into our inventory with HUD July 18. It became our maintenance liability then, to take care of it until it sells. It has a current offer. I don't want anything like this to hold up the seller so we can get someone in there. I wanted to see if it was possible to waive the responsibility from us or anyone purchasing the house. I'm not sure what to do at this point outside of explaining that. The lady I talked to was very helpful.

Moermond: this is a common problem with HUD, and that is HUD has a way of selling properties without disclosing things. Condemnations, Vacant Building program, or a removal on it. That's all happened on my watch. In terms of disclosure of pending assessment for removal of a tree before it comes into your possession, I get it is inconvenient, but the City would be in the act of subsidizing this for the Federal government. I know the Feds don't have to pay taxes for us. But it was assessed and I am not hearing it wasn't properly noticed. I don't know that the City should have to

subsidize the work done.

Hall: I guess the difference for me is everything that happened to and with this property up until this point happened under the umbrella of the mortgagee, Hmong Care, before it even came to us. I only found out was doing research for the asset manager trying to sell the house. We didn't directly receive notice for. That's why I wanted to move this on from us.

Moermond: I hear you. It was properly noticed to the owner of record at the time the nuisance was identified. It became a pending assessment as of May 1, 2024. A couple of months prior to HUD assuming the mortgage. It would have been out there at that time.

Hall: the responsibility is supposed to be with the mortgagee. They are supposed to cure these things before it gets to HUD so we don't have these issues. I wanted it pushed back on them or get a reduced rate. We would have taken care of it; we don't let something sit. It sounds like none of that is going to go into any equation?

Moermond: the assessment for work done on the property attaches to the property under MN statute 429. Is it the responsibility of the people holding the bag at the time? There's a moral argument to be made. We typically advise people to go after the previous owner. If nothing else it should have been disclosed. All those orders went to them, no question about it. Is it a case where the City failed in its responsibility? That would be a circumstance where I'd say yes let's delete it. If you didn't get notice during your ownership, that would be something I could say you should have and delete. When it happens under a previous owner it still attaches to the property. How different financial institutions communicate amongst themselves I don't know. I know you don't have to pay it. But does it attach? Yes. I can talk to the City Attorney about it and see if the administrative branch looks at it and sees something different. What I'm repeating is the experience I've had and what I've been told previously. I'm happy to be talking to someone ahead of the game. For all my frustration it is because of a lack of communication, so I do truly appreciate you wanting to talk this through.

Hall: we have an offer and will get a family back in. It sounds like you've had a bad encounter with HUD throughout the years. That has everything to do with when these homes are in the mortgagee care. I don't have the ability to not take care of something. When we get one of these homes there's no option to not take care of it. Earnest money was given, fastest closing is 30 days and that's without anything holding us up.

Moermond: let's talk again August 20 and hopefully we'll have a lot better information for you and it will precede a closing.

Laid Over to the Legislative Hearings due back on 8/20/2024

15 RLH TA 24-297

Ratifying the Appealed Special Tax Assessment for property at 381 MACALESTER STREET. (File No. 2411T, Assessment No. 249013)

Sponsors: Jost

Approve and make payable over 10 years.

Deanne Levander, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Karl Mueller: August 9, 2023 a 34" EAB infested ash tree was marked in the back yard. Letter was sent with a compliance date of September 7, 2023. We rechecked September 19, tree still there. The contractor did the work May 10, 2024 for a total assessment of \$4,162.68.

Moermond: what are you looking for today?

Levander: I'm hoping to spread it across a number of years?

Moermond: 10 years work? That's as long as I can go.

Levander: yes, that will work.

Moermond: I will do that. You can always pay it off faster.

Referred to the City Council due back on 9/18/2024

16 [RLH TA 24-310](#)

Ratifying the Appealed Special Tax Assessment for property at 1254 CHARLES AVENUE. (File No. J2410E, Assessment No. 248316)

Sponsors: Jalali

Delete the assessment.

David Madzo, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: this originated December 18, 2023 after a Summary Abatement Order was issued to remove stacked pallets and miscellaneous debris from rear yard. Compliance date of December 26, Rechecked December 26 and wasn't removed. Rechecked again December 27; not removed, couldn't contact owner, Inspection moved to January 2. January 4 rechecked and found pallets, debris, and tire in rear yard - sent Excessive Consumption for noncompliance. Total assessment of \$169. No returned mail and no history here. The inspector was Mr. Warner.

Madzo: I spoke with him personally. I maintain a residence in ND and I'd got back after the deadline. These were neatly stacked on the interior of my fence next to my 2' woodpile. He even mentioned he knew I was planning on burning them. I talked to him upon return, there was a tire on the fence in the alley. I disposed of that and moved the pallets and I'm working on this property because all this stuff was left. It has all been disposed of. I wonder why there was even a complaint about neatly stacked pallets.

Moermond: I can't tell you the motivation of someone calling in. There's no history of violations and you were trying to work with the inspector which is exactly what we would hope for. I'll recommend the Council delete this assessment.

Madzo: it has been a lot of energy devoted for nothing that was an issue in the first place. I appreciate your time.

Moermond: and I'm sorry you had to make a second trip down here.

Madzo: third if you count going to Department of Safety & Inspections to figure out

why. These have to be reported to have an inspector come out?

Moermond: yes.

Madzo: could he have gone to the wrong address?

Moermond: I doubt it, pallets are pretty specific.

Madzo: my garage is right by the neighbor's back yard, so I thought maybe it was supposed to be them. It has just been trying to get this property back into shape as a senior. It's a bit much.

Referred to the City Council due back on 8/14/2024

- 17 RLH TA 24-294** Ratifying the Appealed Special Tax Assessment for property at 675 SEVENTH STREET WEST. (File No. J2409P, Assessment No. 248408)

Sponsors: Noecker

Delete the assessment.

Moermond: this is a deletion, no before photo just an after. Also, a waiver on file since 2013.

Referred to the City Council due back on 9/18/2024

- 18 RLH TA 24-309** Ratifying the Appealed Special Tax Assessment for property at 1033-1035 SEVENTH STREET WEST. (File No. J2409P, Assessment No. 248408)

Sponsors: Noecker

Delete (waiver on file).

Moermond: for deletion, there was already a waiver on file.

Referred to the City Council due back on 9/18/2024

Special Tax Assessments-ROLLS

- 19 RLH AR 24-64** Ratifying the assessment for Collection of Vacant Building Registration fees billed during May 2, 2023 to February 19, 2024. (File No. VB2411, Assessment No. 248817)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 20 RLH AR 24-65** Ratifying the assessment for Securing and/or Emergency Boarding services during March 2024. (File No. J2411B, Assessment No. 248110)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 21 RLH AR 24-66** Ratifying the assessment for Collection of Fire Certificate of Occupancy fees billed during February 22 to March 22, 2024. (File No. CRT2410, Assessment

No. 248209)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 22 RLH AR 24-67** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during January 22 to February 20, 2024. (File No. J2411E, Assessment No. 248319)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 23 RLH AR 24-68** Ratifying the assessment for Graffiti Removal services during February 13 to 15, 2024. (File No. J2409P, Assessment No. 248408)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 24 RLH AR 24-69** Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) service during April 2024. (File No. 2410T, Assessment No. 249012)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 25 RLH AR 24-70** Ratifying the assessment for Removal of Diseased and/or Dangerous Tree(s) service during May 2024. (File No. 2411T, Assessment No. 24903)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

- 26 RLH AR 24-71** Ratifying the assessment for Towing of Abandoned Vehicle(s) services during April to November 2023. (File No. J2401V, Assessment No. 248000)

Sponsors: Jalali

Referred to the City Council due back on 9/18/2024

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 27** [RLH SAO 24-48](#) Appeal of Michael Nayman to a Notice to Cut Tall Grass and/or Weeds at 1818 BLAIR AVENUE.

Sponsors: Jalali

Layover to LH August 13, 2024 at 11 am (unable to reach PO).

Voicemail left at 12:07 pm: this is Marcia Moermond from St. Paul City Council calling you about calling Michael Nayman about your appeal for tall grass and weeds at your

property. We'll try you back in about 10 minutes.

Voicemail left at 12:18 pm: this is Marcia Moermond from St. Paul City Council calling Michael Nayman again about your appeal at 1818 Blair for tall grass and weeds. I'm going to follow up with you August 13, next Tuesday. I'll put this in front of Council August 14 so you have a heads up on that.

Referred to the City Council due back on 8/14/2024

**28 RLH SAO
24-49**

Appeal of Kevin Wilkerson to a Notice to Cut Tall Grass and/or Weeds at 1156 SAINT CLAIR AVENUE.

Sponsors: Noecker

Grant the appeal.

Kevin Wilkerson, owner, appeared via phone

Moermond: I think we can make short work of this. I'm sitting here with Supervisor Lisa Martin and we looked at the photos of the property and we are both satisfied it doesn't meet the definition of tall grass and weeds and will recommend your appeal is granted.

Referred to the City Council due back on 8/21/2024

1:00 p.m. Hearings

Vacant Building Registrations

**29 RLH VBR
24-40**

Appeal of LaVonne Pine to a Vacant Building Registration Notice at 1478 BLAIR AVENUE.

Sponsors: Jalali

Grant to September 3, 2024 to vacate or obtain legal possession of property.

LaVonne Pine, occupant, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: made a Category 2 Vacant Building on June 21, 2024 per a condemnation referral from Code Enforcement Supervisor Kedrowski due to lack of electricity. Upon investigation he found both the property owners listed are deceased. Once since 2008 and other 2023. No probate records found for either descendent. Assignment of mortgage with HUD. Notice of potential claim with MN DHS filed January 11 and July 11 2024. First half of 2024 taxes have been paid. Children are all in their 60's who reside 3034 Chippewa Court in Maplewood. Not sure on phone or email contact and couldn't find anything to verify Mr. Randall or Mr. Steward, could be a grandkid in the house but unknown. The electricity has been restored and it does remain occupied.

Moermond: Ms. Pine, it sounds like you are not the owner of record. What is going on?

Pine: I live there with my boyfriend whose mother is the one who died in January of last year. I lived here six years. He moved out and I'm still there.

Moermond: so, Mary is?

Pine: Craig Randall is my boyfriend, her son. Girlfriend of six years. I took care of Mary actually.

Moermond: do you have any legal claim to the property? It doesn't look like you are in any probate action.

Pine: no, I'm not but I haven't been able to move. Craig knows that and was fine with it. He said to take the time I need. I stayed. No one was there for four years, she's been out.

Moermond: but she was alive until July 2023. As a living person she can say who can and can't stay in her home.

Pine: absolutely. Craig and I's relationship just dissolved recently.

Moermond: I don't have an owner of record. No probate records. I don't think you have any legal claim to live there. Neither does Craig. The City cannot say its ok for you to be there. You're the same as a squatter, even though I hate to put it that way.

Pine: it is insulting. I plan on being here maybe two more months. That's just it, I need the finances to move. There's always been someone here, it has never been vacant and it is well maintained. I take very good care of the home. I'm not a squatter.

Moermond: the situation is you don't have the legal authority to live there.

Pine: that's what I'm working on. It is on a reverse mortgage with the mortgage company. I needed more time. I'm sure 100% that they would be willing to set up something with me. I'm a good person.

Moermond: I don't doubt that at all.

Pine: I've been there six years straight. I didn't even know they were coming after the home because the mail was halted, including mine. I never knew anything about this until it was posted on the house.

Moermond: all the communication goes to the owner of record and they are both deceased. No one has gone through the process to get it into their name.

Pine: none of the family has any interest in it. This was domestic violation by strangulation with Craig. There's a criminal case going on. I don't have anywhere else to go. I am in that home by myself. I don't like being there by myself. The family has no interest in the home. I was told originally by the people who posted the house that Xcel notified them of the lack of electricity. I found that to not be true. One of the sisters is an employee in that department. This is retaliation by the family. They've terrorized me in the home. I was told I can stay there until I find a home. I can't even get in a shelter. I'm trying to be strong but I haven't done anything to anyone for any of this to be happening. It is just another way to get me out because the brother moved. I didn't tell him to move. He just did. If he still was there none of this would be happening. I took care of his mother. No one else came around.

I'm on the verge of a breakdown. Enough is enough. You have no idea what has

happened to me. I was in the hospital. The only way to get me out is to go through the City and have them do it.

Moermond: Xcel sends a list of properties without electric or gas every week or two updating the City. They don't forward those accounts to the City unless it has been off for a month.

Pine: they said 60 days. From what I was told it was referred by a person and not Xcel. I've done a lot of research as well. None of it was making sense to me. This has always had water. I didn't shut it off, Craig did. I had it turned back on in my name. I just don't get it.

Shaff: Xcel shut off list June 7, 2024.

Pine: that was given to you by someone. That's not what they told me though.

Moermond: we have the referral list.

Pine: Craig paid the bills, so they would have turned it back on in his name, but I did it in mine. None of this makes any sense. It was all within 30 days of the time it was off. I'm working on making an arrangement with the mortgage company because they own the home.

Moermond: Grady and Mary Randall own the home. They're dead. The thing is it is their names on file with Ramsey County recorder's office. The legal owner of record. In order for that to change it has to go through probate. That has to get sign offs of people who are heirs to the estate. Someone with a legal interest in the property. I can't grant that to you.

Pine: but you just come in and take it.

Moermond: no one is doing that.

Pine: you told me to vacate.

Moermond: that's not taking it. I hear you are intending to move, pulling those finances together and how to handle this gently yet firmly. There has to be someone who is a legally Responsible Party.

Pine: when a home is on a reverse mortgage of \$287,000, doesn't it go to the bank? That was my understanding.

Moermond: I can't give advice on how banking works.

Pine: they are on the mortgage of the home but it is a reverse mortgage and they are doing the repossession. The family had six months to figure it out under next of kin. I don't know about probate. But I've read the entire mortgage. That mortgage was sold 5 times now. That's the problem I'm running into. I've been through three banks already.

Moermond: Mr. Dornfeld it is your team who would vacate the property?

Dornfeld: yes.

Moermond: today is August 6. If we give a little time for Ms. Pine to find another place

to live. I really don't have much rope on this one, would Vacant Buildings be comfortable with me recommending to the Council that it can be occupied through September 3.

Dornfeld: certainly.

Moermond: my recommendation will be to ask them to not enforce the vacate until September 3.

Pine: October 1 is the date the advocates working with me gave me. Is there any way we can do that?

Moermond: I don't have the authority to let you stay in a house that the City doesn't own. The City is aware someone who doesn't own it is there. I know squatter has negative connotations, but someone who is not an in an ownership possession is living there. The bank hasn't taken possession yet. It is still in Mary and Grady's name. You are always more than welcome to testify at Council, they may feel like they can give more time. I would suggest you do that.

Referred to the City Council due back on 8/21/2024

30 [RLH VBR 24-41](#) Appeal of John S. Jagiela to a Vacant Building Registration Notice at 134 MONTROSE PLACE.

Sponsors: Jalali

Layover to LH August 13, 2024 at 1 p.m. for further discussion.

John Jagiela, owner, appeared via phone

Jagiela: can I say one thing to start. I've lived here 34 years. It is my principal address. They put a Vacant Building sign on the house. It was broken into. Trashed the whole house. Took all my banking records. I'm not very happy. I think there was a misunderstanding—

Moermond: Mr. Jagiela, you've jumped forward. I would like to get that staff report on the record for you to respond to. [Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: July 28, 2023 there was a letter confirming at the Legislative Hearing on Tuesday, July 25 Legislative Hearing officer Moermond recommend the Council grant to October 16, 2023 for compliance with temporary fix of roof with submitted statement by contractor, mold & mildew abatement throughout and repair the ceiling of laundry room. Grant to July 1, 2024 for compliance with painting orders and permanent repair of the roof.

Supervisor Imbertson gave me a synopsis of this one, he was the primary on it before. This is triplex with units in basement, first and second floors. At the time of the October 25, 2023 approval with corrections, the basement and second floor units were both uncertified and not ok to occupy until inspected and approved. Significant work was needed. Required plumbing and building permits. Only the first floor was occupied at that time as a rental. Per the owner's information on the appeal form, the first-floor tenant moved out on November 1, 2023, and the other two units weren't approved for occupancy. The property should have been vacant since then.

The property owner is homesteaded at 2801 Brookwood Terrace in Minneapolis. July

2024 the reinspection was based on that extended appeal deadline. The deadline wasn't met so even if it was believed to be occupied it would have been revoked for long-term noncompliance with the deadline. Since we believed it was vacant it was referred to the Vacant Building program right away. Photos from the outside show it doesn't appear occupied. There's a door hanger from Xcel trying to get access to replace the meter and undisturbed leaves at the front door. SPRWS shows only 2 units of water usage for the last quarter, and on July 5 phone call with the owner, he told Imbertson it was vacant after the first-floor tenant moved out.

Staff report by Supervisor Matt Dornfeld: made a Category 2 Vacant Building by Inspector Hesse July 8, 2024 per Inspector Shaff's report.

Moermond: tell me more about where you were going, it sounds like a lot has been happening at the property.

Jagiela: the house was broken into, my unit on the second floor was broken into, trashed, and all my stuff was stolen. I don't hear anyone on your side saying they are sorry about that. The police said when it goes on the Vacant Building registry it is public knowledge and you're putting a flag on it.

When I said it was vacant, I meant there were no tenants. I didn't mean the whole house. When you say it looked vacant, there are curtains on the second floor, look in the windows there is all kinds of stuff. I'm there every day if I'm not traveling for business.

I'm not so sure that homestead is correct. I own this house with Monica Clark and she lives here fulltime. She may have homesteaded it. There's no benefit for homesteading it for tax purposes. Now I have a trashed house with doors kicked in. I've got all my personal possessions on the second floor. I'm going to get new doors and put a security system in. Since there are no tenants, why can't I have the time to fix some of the plumbing since the faucets aren't full strength? Once I have it all fixed they can look at it and if it passes I'll rent out the first floor again. I travel a lot for my business representing tribes. I have a house in Minneapolis, and my daughter lives here and her mother lives here. I'd like time to get my house back in order and have it inspected again so I can rent it out again. In the meantime, I'm really upset because that first letter about the Vacant Building list it wasn't even sent to me. I got a second letter about something else. You can see it wasn't even sent to me. They gave me a copy. My house is trashed; I am upset. I've lived there 32 years. It is a nice house, you say it has to be painted and criticize it, but it is a nice house in a nice neighborhood.

Moermond: we had deadlines come and go for work that was to be done last year, and then July 1 of this year. Was there a finding that those items weren't done?

Shaff: second floor unit is uncertified and must not be occupied until inspected and approved by this office. Basement unit also uncertified. Extensive moisture damage to walls and ceilings. Fixtures have been removed. Floors damaged and missing in some areas. Exterior roof damage. Scrape and paint and maintain exterior surfaces. That was also supposed to be done July 1.

Moermond: I guess I was looking for whether the revocation was for not meeting the deadlines established by Council for the work.

Shaff: absolutely.

Moermond: but it isn't spelled out that way in the letter. You did have what the deadlines were.

Jagiela: is the first inspector seriously saying you cannot occupy your own house? She's evicting me from my own house. There's no judicial decision in Minnesota that allows you to throw someone out of the house.

Moermond: we're walking through the implications for noncompliance with the previous appeal and decision voted on by Council. It doesn't sound like there's a difference of opinion of whether it was taken care of, there's a difference in what the enforcement mechanism is.

Jagiela: not only that, but there are no tenants. You have to take that into consideration.

Moermond: yes and no. This is about housing and building codes that apply to buildings that are occupied AND rental property. If it is written by the City it is enforced by passing it off from one area to the other. If they were specific rental things, sure. But we're talking about building code items.

Shaff: I heard him say he lived on the second floor. It has been uncertified for some time now.

Jagiela: I don't need certification to live in my house. Number one is getting my house secure. I'm going to get ADT to put in a security system. I want to fix the roof as much as you do. I did have plumbing repairs done by Ryan Plumbing. I'm not in charge of them pulling permits. It isn't the owner's responsibility. I have no intention of renting it until I get it fixed. Why this sense of urgency? I pay my property taxes. I mow the lawn. I'm there five or six times a week unless I travel. To put a target on it as a vacant property is disappointing. I like St. Paul. I think the Council does a great job. The St. Paul Police Department was wonderful.

Moermond: the deadlines given by Council, which you agreed with at that time, were not met. Now you are saying you don't have tenants so the deadlines are moot. Why there was enforcement is because of that. This isn't a revenge thing. They were out to follow up on a Council decision from your appeal. That is a legit thing to be happening. I get now you don't have tenants. Do we go with the notion you are suggesting which is to not have tenants until the spaces are certified, and you can live in one of the three units. I see the orders say there are significant code violations in the second unit. But as you say, it is your place. What kind of timeline are you operating with in terms of doing the roof and other repairs?

Jagiela: I've called some contractors. I first called my insurance company because I thought I had some hail damage. I'm ordering windows for the dormers. You have to understand with people breaking in, I have a lot of incentive to get it fixed up with renters in it. How do I get this off the Vacant Building registry so I don't have a parade of people coming over. Don't they realize once it is on the Vacant Building registry it is an invitation.

Moermond: is one of the impacts of the placards awareness? Absolutely. But it also makes emergency responders aware in the middle of the night they know its squatters inside. I hear it both ways all the time. Your point is taken and there are two sides. The solution for both of these are tied together. That's why I asked about your schedule. I hear you are motivated.

Jagiela: for sure. Is there protocol whereby they can suspend the Certificate of Occupancy so I can't rent it, but during that time I have the ability to make the repairs, and then I can call the inspector to come inspect. Then during that suspension I'm not on the target list for people to come take what they want.

Moermond: that's what we're talking about. Mr. Dornfeld any comments?

Dornfeld: I'm comfortable where we are at.

Moermond: a portion of a building can be put in the Vacant Building program. I'd like to recommend the Council waive the Vacant Building fee for a period of time to bring those units back online. I'd like to recommend your unit be made a Category 1, turnkey. The next question is the Vacant Building fee. I'm inclined they do a 90-day waiver on your fee. After 90 days if they aren't recertified the fee will be processed.

Jagiela: is it still on the list then?

Moermond: as a Category 1 those two units are.

Dornfeld: if you are a member of Category 1, 2, or 3 you are on the list.

Jagiela: so, there's a billboard saying take what you want.

Moermond: the placard can come off. The Council can look at this differently. I have to respect the deadlines they put into place that weren't met. You vacated those units, I get that. You can be there. Your Council Public Hearing will be August 21.

Jagiela: I believe if you have a duplex you don't need a Certificate of Occupancy? Can I just take it out of the rental program. Would they take it off the list if I did that?

Moermond: let's talk again next week on the 13th so we can talk again before it hits Council.

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

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 31 RLH VO 24-23** Appeal of James Cran to a Correction Notice-Complaint Inspection (which includes vacate order) at 293 BURLINGTON ROAD.

Sponsors: Johnson

Deny the appeal and property must be vacated unless documentation is submitted no later than Friday, August 16 indicating occupant has legal right to occupy property.

James Cran, occupant, appeared via phone

Moermond: we're following up on the correction notice. When we last spoke you were going to get us some paperwork.

Cran: the lawyer was supposed to send me a copy. I stopped Friday and they said they were going to send it out. I did contact him again.

Moermond: you and your sister have a shared interest in the house and your dad is no longer able to manage his property.

Cran: correct.

Moermond: we need her sign off on it too so you're both in agreement. I'm going to ask the Council to look at this August 21. We will need to have any paperwork from you by August 16, if it isn't sufficient we will let you know and in that case we'll likely deny your appeal and figure out where we go from there. We'll wait for that paperwork and send the file to Council.

Referred to the City Council due back on 8/21/2024

32 RLH VO 24-27

Appeal of Taylor James Swartwood to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 604 OAKDALE AVENUE.

Sponsors: Noecker

Property must have Fire C of O reinstated by October 1, 2024 or property must be vacated.

*Taylor Swartwood, owner, appeared
James Swartwood, father, appeared*

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy attempted inspection by Inspector Almsted. April 17, 2024 we have a no entry. Inspector Almsted left Mr. Swartwood a Voicemail. May 17, same thing. May 24 Inspector Almsted called Mr. Swartwood another Voicemail. Didn't hear back. July 3 no entry, no communication returned, has emailed and left Voicemails. Sent notice for access. July 16 he was able to get contact information and spoke to the Responsible Party, Mr. Swartwood, who was unaware of the inspections. He verified the mailing address was correct. Scheduled to meet on July 18 and Mr. Almsted said if he didn't get in it would be revoked. July 18, no entry again. Inspector Almsted called Mr. Swartwood, no answer and went to Voicemail which was full. Revoked for long-term noncompliance.

Moermond: so, the address you are using is that the same as the Responsible Party? Taxation?

T. Swartwood: I've had a lot of trouble with the mail recently. Since he called, I've had mail forwarded to my physical address.

Shaff: it went to a P.O. Box in white bear township. Provided by Mr. Swartwood and Ramsey County. It wasn't that long ago we had a similar incident at another property.

T Swartwood: it has been a reoccurring issue. I get other people's mail, it is shredded. Mine goes missing. It is unbelievable.

Shaff: to the P.O. Box?

T Swartwood: yes. It is forwarding now, so maybe that will help. I did have to get a new number May of last year since I was doxed.

J Swartwood: he recently broke up with the mother of his child.

T Swartwood: four families live there, most with children. Many from south of the border with little to no English. I thought the tenants would let him in. I was sick the day of the inspection. I didn't make it. That's what happened. I'm happy to let them in instantly. The building isn't in bad shape.

Moermond: how many properties do you own?

T Swartwood: eight buildings.

Moermond: but your family has been in the business a long time. Honestly, this is six letters. It begs—six gone awry?

T Swartwood: we've had a lot of problems.

Moermond: and the voicemails?

T Swartwood: they had an old phone number. They were going nowhere.

Moermond: so, sent mail to the address you gave. They called the number they had.

T Swartwood: they did get ahold of me eventually. I wasn't trying to avoid them.

Moermond: it sure looks that way. There was an earnest effort to get through. All those letters and calls.

T Swartwood: I'm embarrassed I got to this level. We want to have a good service for our customers.

Moermond: we have a revocation on the 18th and you got that?

T Swartwood: no, Travis called me. I have no paperwork. Nothing. It didn't get to m.

Shaff: we sent a letter on the 18th to you and it went to your P.O. Box, have you provided us an updated address.

T Swartwood: I can only tell you what I've received. You are catching me at the worst year of my life.

Moermond: and as you said you have vulnerable people living there, and the City wants to know they have safe housing. Somethings we have to get done or have others do when we can't do them ourselves.

Shaff: Mr. Swartwood, James, we've talked about this before. You don't answer your phone most of the time—you call me eventually. But when we need to get ahold of you it is impossible.

J Swartwood: I get my taxes.

Shaff: if I call you or leave a Voicemail I expect a call back.

Moermond: bottom line, you aren't 100 percent comfortable with James Swartwood being a Responsible Party, not that that is the City's call, but your experience has been as such that you wanted to mention you need to respond if you are the Responsible Party.

Shaff: I appreciate we have a relationship where we can talk about our concerns.

Moermond: there are financial consequences for the missed appointments. Another appointment will cost more.

Shaff: \$484 currently.

T Swartwood: I am fine paying that.

Shaff: Taylor Swartwood should reach out to Inspector Almsted and see when he can make some time.

Moermond: you need to have your Certificate of Occupancy reinstated by October 1. Council Public Hearing August 21.

Referred to the City Council due back on 8/21/2024

33 RLH VO 24-28

Appeal of Cynthia Johnstone to a "Partial Revocation of Fire Certificate of Occupancy and Order to Vacate of Unit 1 Only" at 1352 SEVENTH STREET WEST.

Sponsors: Noecker

Grant to September 3, 2024 for compliance or property must be vacated.

Phil Schmid, Keystone Community Services, appeared via phone
Cynthia Johnstone, tenant, appeared via phone

Schmid: I went with Nicole Paradise to the property yesterday, but she wouldn't let us in. I've told her she has to work with Ramsey County House Calls. No choice if you want to stay in the residence. That's the goal here. She eventually would like to move.

Moermond: what role do you play at Keystone?

Schmid: navigator, coordinator. I was a case manager in the past. I'm trying to facilitate but she's going to end up having to get other housing anyway. Assisted living from what I can tell. I did make a MN Choices referral and her Medica care coordinator called me, but I didn't take the call. I've reiterated several times with her to use Ramsey County House Calls.

Staff report by Supervisor Leanna Shaff: this is the third time before you. July 19 the appellant was given an extension for compliance under the condition the tenant reach out to Ramsey County House Calls. The tenant did not comply. Supervisor Vue took enforcement action for long-term noncompliance. Partial revocation for unit 1. Orders mailed to property owner and occupant and copy was posted at the property. Since then, we understand Nicole Paraside and Phil Schmid have tried to make entry and were denied by the tenant. We've exhausted all resources to bring unit 1 into compliance.

Moermond: Ms. Johnstone, why haven't you allowed access to people who can help you?

Johnstone: I never had someone call and tell me a time and a day it would be okay. I had an appointment yesterday. Tell me a time and a date when they're coming over.

Moermond: I guess I don't understand. Ms. Vue made a finding you didn't have the work done on deadline.

Johnstone: I have a broken arm. It is paralyzed. I have proof from the doctor. My ankle legs were broken and then they healed and then I broke my leg. I've been doing things slower than a person that isn't injured.

Moermond: I thought we had a thorough conversation about getting House Calls involved.

Johnstone: they said they were coming back.

Moermond: because you wouldn't allow access.

Johnstone: they told me they were coming back I just ask they call first and tell me a time.

Moermond: honestly, you should be in the business of begging them to come. Your house has been ordered vacated because of your lack of responsibility in dealing with this. We have Mr. Schmid advocating on your behalf, but you need to be super clear I've been working on this quite a while and you have ignored everything. You need to engage.

Schmid: Cynthia, you need to use House Calls and let them in and do their job. Otherwise, you won't have a place to live. That's immediate. Not in the future. It needs to happen. Cynthia did say Nicole could come back Friday, Nicole is on vacation starting Friday. I am not sure where that leaves us.

Johnstone: what about Thursday then?

Schmid: I can speak with her to see if it's possible. Cynthia knows this has to happen right now. She said she was ok with that.

Johnstone: I have to know a time on Thursday.

Schmid: I don't even know she can come back.

Moermond: Nicole getting access isn't eve my biggest issue. House Calls needs to be empowered to do the work necessary. Ms. Johnstone has been very specific that she doesn't want anything removed. I don't know what is different Thursday than it was a month ago, or a year ago. Ms. Johnstone, I need to be convinced.

Johnstone: can you make it plain and simple? I don't understand.

Moermond: why are you cleaning it up now? What's different?

Johnstone: some man came and told me it was ok from the City.

Moermond: what year?

Johnstone: last fall.

Moermond: your back is against the wall. What's different now.

Johnstone: I don't know who is making the mess. I'm picking up as fast as I can.

Schmid: you need to allow House Calls to do their job or you won't have a place to live. You have to let them in but you also have to let them come and do their job later. That's the bottom line.

Johnstone: coming to help is ok.

Schmid: it is an extensive job they will be doing.

Johnstone: she was talking about throwing things out. But I don't want my couch and chairs thrown out. That's all I'm saying.

Schmid: it is the excess storage and cleaning so it is sanitary. They have to be able to do their jobs. You have no plan if you don't have a place to live.

Moermond: if Nicole is available at 7:30 tomorrow morning you need to make yourself available. You need to get a plan and a contract. You need to not interfere with cleaning. I need to put a deadline in for you to have compliance or be moved out. I'm over this, we've been doing it much too long. You have until September 3. The Council may see it differently than I do, but you need to get it done. The only thing I can figure that may inspire that is the pounding on the door you should be feeling. You HAVE to, in your own interest, take action.

Schmid: you have to let them in, no rescheduling. You only have until September 3. Marcia is saying this is for your benefit, to keep you in housing and to keep safe.

Johnstone: my phone is going out. I know exactly what you're telling me. It is getting hot; it will turn off any time.

Referred to the City Council due back on 8/21/2024

2:00 p.m. Hearings (NONE)

Fire Certificates of Occupancy

3:00 p.m. Hearings

Other - Garbage Assessment

- 34** [RLH TA 24-281](#) Ratifying the Appealed Special Tax Assessment for property at 1243 THOMAS AVENUE. (File No. CG2402A2, Assessment No. 240114)

Sponsors: Jalali

Reduce assessment from \$430.18 to \$412.06.

No one appeared

Moermond: looking at the file, Jillian has spoken with the property owner and the only thing he is contesting now that he has the background are the late fees connected, which is 36.24. He is a new owner, I would have to say he did receive notice of it, but to give him a break as he sorts it out we'll split it in half. Reduce the assessment from \$430.18 to \$412.06.

Referred to the City Council due back on 8/14/2024

- 35 RLH TA 24-311** Ratifying the Appealed Special Tax Assessment for property at 1133 EUCLID STREET. (File No. CG2402A2, Assessment No. 240114)

Sponsors: Johnson

Approve the assessment.

Voicemail left at 3:46 pm: this is Marcia Moermond from St. Paul City Council calling you about your appealed assessment for garbage hauling at 1133 Euclid. We'll try you back in 5 minutes.

Voicemail left at 3:53 pm: this is Marcia Moermond from St. Paul City Council calling you again about your garbage hauling assessment. I'm going to suggest Jillian Barden call you and talk through some of the new information they learned in Public Works about this assessment and how it fits together with Waste Management. You can figure out from there if you want to appeal, which is totally ok. Let her or my office know at 266-8585 and we can handle it, but explanation of background may help.

Referred to the City Council due back on 8/21/2024