



Minutes - Final

Legislative Hearings

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Tuesday, October 1, 2024

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 24-373** Ratifying the Appealed Special Tax Assessment for property at 276 EXCHANGE STREET SOUTH. (File No. VB2502, Assessment No. 258801)

Sponsors: Noecker

Reduce assessment from \$2,618 to \$600.

*John Sugimura, contractor o/b/o Taher Inc, appeared via phone
Inda Streed Taher Inc, appeared via phone*

*[Moermond gives background of appeals process]
Staff report by Supervisor Joe Yannarelli: prospective fee covering May 12, 2024 to May 12, 2025. It was released from the Vacant Building program after Fire Certificate of Occupancy issuance August 2, so in the program just under 3 months. Total assessment of \$2,618.*

Moermond: tell me why you're appealing.

Sugimura: I've been working on the building on behalf of Bruce Taher since March of 2022. Very well documented rehab. It closed in 2019 after the passing of a key employee, then we went into Covid. The delay was out of our hands; the adjacent property had 3 large trees crushing the foundation. We worked for 2 years with the neighbor to remove the trees, which was done in September 2022. We had to rebuild the foundation. That was our focus. It delayed things for 2 years.

In the window of the last 3 months, that building has been utilized and habited since June 2023 and working out of it, an active renovation with all utilities on. It hasn't been a vacant building by definition. I'm sure you'll narrow this down to the Vacant Building form being submitted. I had roughly 20 interactions with St. Paul staff or fire. We were only given the form 3 months ago.

Moermond: I don't know if it is about the form. If you met the definition of a Vacant Building, it did until it got its Certificate of Occupancy reinstated. It was 2 months and 3 weeks out of a 12-month time period. I'll recommend the Council reduces this down to \$600, for the time the building was in the program. \$2,618 to \$600 even.

Referred to the City Council due back on 1/22/2025

- 2 **RLH TA 24-374** Ratifying the Appealed Special Tax Assessment for property at 276 EXCHANGE STREET SOUTH. (File No. J2502B, Assessment No. 258101)

Sponsors: Noecker

Approve the assessment.

*John Sugimura, Taher Inc, appeared via phone
Inda Streed Taher Inc, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: there was a break in at the property and the police arrested 5 juveniles exiting. There was a window broken and they called in emergency boarding of the window. Total proposed assessment of \$474.

Moermond: why are you appealing?

John Sugimura: we were only appealing the Vacant Building fee, no questions about the boarding.

Moermond: I'll recommend this one is approved then.

Referred to the City Council due back on 1/22/2025

- 3 **RLH TA 24-348** Ratifying the Appealed Special Tax Assessment for property at 1033 MARYLAND AVENUE EAST. (File No. J2501B, Assessment No. 258100)

Sponsors: Yang

Approve the assessment.

Javonna McCoy-Barber

[Moermond gives background of appeals process]

Moermond: I know we spoke recently about the Vacant Building registration. This is for a boarding done in January.

McCoy-Barber: I'm not disputing this. I am disputing the \$2,500 because I'm not getting any services. I see where nothing is free for this one. I understand someone came out in the middle of the night to keep our stuff safe, I appreciate that. I have a problem with the \$2,500.

Moermond: alright, and that's on the agenda tomorrow. Do you want this considered withdrawn? Should I send it forward as approved?

McCoy-Barber: I wasn't contesting the boarding, because someone did the work. I saw it. Just contesting the \$2,500.

Moermond: appreciate that. We'll see you tomorrow it sounds like.

McCoy-Barber: I'll be there.

Moermond: recommend approval of the assessment.

Referred to the City Council due back on 1/8/2025

- 4 [RLH TA 24-394](#) Ratifying the Appealed Special Tax Assessment for property at 1122 MARYLAND AVENUE EAST. (File No. J2502B, Assessment No. 258101)

Sponsors: Yang

Layover to LH December 3, 2024 at 9 am. Staff to get police report and contact prosecutor.

Angela Myers, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: a vehicle crashed into the house and, according to the report, after consultation with the homeowner it was agreed to shore up the corners of the porch and board up the front windows. Total proposed assessment of \$654.

Moermond: why are you appealing?

Myers: because I'm a victim. Jesse James Anderson ran into my house and caused the damage. I'm still living in a boarded house. This bill should go to the driver of the car on May 5. Why are you charging the homeowner? It makes no sense.

Moermond: these charges do attach to the property. It becomes the property owner's responsibility to get that money back from the person causing the damage, or your insurance company.

Myers: that makes no sense.

Moermond: I hear you and I don't have the ability to go after someone and make a finding they are criminally liable. That would be handled through the courts. All I have is the work being done and this being the cost of the work. It would be more by way of restitution you would get reimbursed, or by your insurance company.

Myers: I don't agree with this, it makes no sense. I'm listening to you. He hit my house; he is charged with leaving the scene of an accident. Again, shouldn't he pay for the damaged he caused?

Moermond: I'm not disagreeing one bit. Are you working with a Ramsey County prosecutor on this?

Myers: no.

Moermond: I was just thinking if the prosecutor who did the charges was aware they could ask the court to order restitution from Mr. Anderson.

Myers: the court offered him some sort of situation and he didn't comply with that diversion program was, so he was charged again September 10th. The homeowner still has to pay what is caused by a 25-year-old that hit my house? I haven't done anything. I pay my bills; I pay my taxes. I continue to get hurt by this accident. I still

keep paying for it one way or another.

Moermond: I understand your frustration. We can see if we can find the prosecutor and email them this information and ask for restitution.

Laid Over to the Legislative Hearings due back on 12/3/2024

- 5 RLH TA 24-372** Ratifying the Appealed Special Tax Assessment for property at 1297 SEVENTH STREET WEST. (File No. VB2502, Assessment No. 258801)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: this was in front of Council earlier VBR 24-18 adopted June 26. That was a layover from March. Department of Safety & Inspections was to review records and using this logic, she testified with her son/realtor and delayed it for City reasons. The charge of the Vacant Building fee for that time period seems inappropriate so I'll recommend this Vacant Building fee is deleted.

Referred to the City Council due back on 1/22/2025

- 6 RLH TA 24-350** Ratifying the Appealed Special Tax Assessment for property at 1714 VAN BUREN AVENUE. (File No. J2501B, Assessment No. 258100)

Sponsors: Jalali

Delete the assessment (welfare check).

No one appeared

Moermond: this is a securing after a welfare check. It is my consistent policy to recommend boardings resulting from welfare checks; we shouldn't be doing anything that encourages people to not call when they need to.

Referred to the City Council due back on 1/8/2025

- 7 [RLH TA 24-375](#)** Ratifying the Appealed Special Tax Assessment for property at 1645 WHITE BEAR AVENUE NORTH. (File No. J2411B1, Assessment No. 248111) (Public hearing continued to October 16, 2024)

Sponsors: Yang

Approve the assessment. Continue CPH to October 16, 2024.

Muntasir Eisa, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: March 7 St. Paul Police Department was responding to a burglary. They found the building open to entry on arrival. They attempted to secure it themselves, were unable too. Tried calling the listed keyholder and got no response, so they called in the emergency boarding crew. Total proposed assessment of \$474.

Moermond: why are you appealing?

Eisa: because no one called about it happening. It was empty storage on that side, it isn't vacant. It costs too much; it was just two screws with two metal pieces. This is too much.

Moermond: when you say you don't think anyone called, who did you mean by "nobody".

Eisa: we didn't have any number listed there.

Moermond: they responded to a neighbor reporting the burglary. They pried the front door open.

Eisa: I believe it happened.

Moermond: the other thing was the cost, Mr. Yannarely, what is included in the cost for this?

Yannarely: the main cost is just having a crew, private contractor, out there at a moment's notice. That's \$250 alone. \$60 for fastener and labor, then the service charge of \$164.

Moermond: it does sound like the police tried to reach you, or someone who is the listed keyholder. They tried both it says and didn't reach anyone. I'm kind of stuck on this one, I get it is expensive but the police can't leave the scene with the building unsecured.

Referred to the City Council due back on 10/2/2024

10:00 a.m. Hearings

Special Tax Assessments

- 8 RLH TA 24-390** Ratifying the Appealed Special Tax Assessment for property at 1659 EDMUND AVENUE (File No. CRT2502, Assessment No. 258201)

Sponsors: Kim

Reduce assessment from \$398 to \$239.

No one appeared

Moermond: looks like the Department resolved this?

Supervisor Leanna Shaff: we had a cost of \$239 with a service charge of \$159. We had the incorrect address on file. It should have been on Cleveland Ave North and it should have been South. No entry fees were removed, and we recommend removing the service charge.

Moermond: I'll recommend the reduction from \$398 to \$239.

Referred to the City Council due back on 1/22/2025

- 9 **RLH TA 24-340** Ratifying the Appealed Special Tax Assessment for property at 419 HERSCHEL STREET. (File No. CRT2410A, Assessment No. 249212) (Refer to October 1, 2024 Legislative Hearing)

Sponsors: Jalali

Approve the assessment.

Charles Merck, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy on a duplex. Total assessment of \$439. property owner is named as Megan A McGuire Merck. We sent Appointment letter January 22, 2024. Correction letter February 14, 2024. Complied with on March 8. Billed March 13 and April 12. All mail sent to 1784 Highland Parkway in St. Paul.

Merck: we were both certain we had gone online and paid that, because we have the new Certificate of Occupancy. We both were like, but we paid that. That was the only confusion.

Moermond: you got the bill and you each thought the other paid it?

Merck: we didn't think about it after the fact until we got this notice, because we both we were certain we went online and paid it. Then we got this.

Moermond: are you looking for anything in particular?

Merck: would we have got the new Certificate of Occupancy document without paying it?

Shaff: yes. After you don't pay the second bill it goes to assessment. At that point it is marked as paid by assessment and generates the Fire Certificate of Occupancy. You don't get it until you paid, but then it automatically generates it.

Moermond: policy-wise, we don't want people to not be able to occupy a building because they haven't paid the bill yet.

Merck: one of the people I talked to about this said they shouldn't be assessing any sort of fees to the original bill. They said this is one in particular they shouldn't be attaching any additional fees too.

Moermond: I don't know who that was, but that isn't the case. I've been doing this since 2007 and there's always been service fees attached.

Merck: I understand. Would we have avoided it if the first appointment---I set this up a month ago and they never called. So I want to make sure we're not getting any fees for that.

Moermond: no, this was attached as it went forward as an assessment. It has been there since the beginning.

Merck: got it.

Moermond: I need to give you a new Council Public Hearing date, if you agree with my recommendation they will just go with it, but if you want a different outcome you

can testify to the Council. It makes sense to me it should be approved in full, the entire \$439. We'll have the Council Public Hearing October 16.

Referred to the City Council due back on 10/16/2024

- 10 RLH TA 24-338** Ratifying the Appealed Special Tax Assessment for property at 2401 SEVENTH STREET WEST. (File No. CRT2501, Assessment No. 258200)

Sponsors: Jost

Approve the assessment.

Latrice Dasher, property management, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this an appeal on a Fire Certificate of Occupancy fee for a commercial A3 building. The total cost of the assessment is \$839. We sent appointment letters November 15 and December 8, 2023. Correction letter February 2, 2024. Approved with deficiencies April 8, 2024. Billing dates of April 10 and May 10, 2024. No returned mail. Appointment and correction letters sent to: Mare Jane Waitros, Paster Properties 5320 West 23rd Street, suite 205 in St. Louis Park. Approval with corrections and billing sent to: Latrice Dasher, Sibley Plaza LLP, 606 Washington Avenue North, suite 400 in Minneapolis.

Moermond: I see an email chain here, Ms. Dasher, but why are you appealing?

Dasher: when the letters were initially sent last year, they were in the process of relocating. These were oversights mailed to the former address. It was addressed to an individual that is no longer with that company. We had outsourced property management seven years ago. Basically, I have only been here a year, but I don't know why you didn't get the letters back, but the mailing address—none of this was brought to our attention. As soon as it was back in house I was on top of it and trying to unravel the many properties. I just felt in light of the transitions within the company this was something we weren't aware of. It wasn't anything we didn't do or you weren't trying to make us aware of. We're just asking for some forgiveness this one time, in light of what we were going through. We understand City's enforce policies and procedures, but we just want to ask for some forgiveness due to the company transitions.

Moermond: can I confirm the address you want things sent to?

Dasher: the entity should be Sibley Plaza Limited Partners, LLP, because that is both buildings. Care of Castor Properties. 606 Washington Ave N. Suite 400. Minneapolis, MN 55401.

Moermond: that's where the bills were sent, as well as the warning letter about the bill.

Dasher: but the notices went too—

Moermond: yes, but you aren't being charged for multiple inspections. You're being charged for the initial fee, no additional no-show fees or anything added on.

Dasher: that's simply for this building, or is it the entire plaza? Is this for the building permit for both buildings?

Moermond: my records show this is 2401 West Seventh. Ms. Shaff?

Shaff: this is for planet fitness and several other businesses. The other building is under 2409.

Dasher: that's what I thought. That's part of the confusion too. The initial letter in November was sent to Mary Jane, however we weren't there. I don't know where it went. The next letter was December 8 at the West 23rd address. We didn't get a letter from the City until April 10, 2024.

Moermond: how does this impact your bill?

Dasher: we didn't know, it was just an invoice for the fee. We didn't know what this was. We'd already paid for the one at 2409 and were trying to dig through with the Inspector. This is for 2409 as well?

Moermond: the City sent the notification you wanted it to go to, and you had a change of business practice which caused it to not be received. I'm listening for the bright line between where this is a private business responsibility versus the taxpayers at large to cover that cost. I'm hearing you had this change—

Dasher: I'm not disputing the \$680.

Moermond: I understand that. An extra service was provided since it had to be processed as an assessment. That's the cost you want removed.

Dasher: and I have a letter here showing the check arrived July 2.

Moermond: is that to real estate or Department of Safety & Inspections?

Dasher: the City of St. Paul.

Moermond: I think that was past—

Dasher: that's why they told me to appeal this. It came late. The date on the check was May 22

Moermond: and it says in the letter it must be received no later than May 25. You sent that check again, to who?

Dasher: it was made payable to Department of Safety & Inspections.

Moermond: they would have rejected it, Ms. Shaff?

Shaff: they would have returned it if it was received after the due date. I don't process the money so I don't have exact details, but it doesn't show in the fees we processed any money for this.

Moermond: I'd like proof from you Ms. Dasher that the check cleared.

Dasher: it was returned with a letter.

Moermond: because it arrived after the due date.

Dasher: when I called they told me to go through the appeals process just to waive

the fee. All the correspondence went to the wrong person. We divided that building, we'd already paid for 2209, didn't know by doing so it was giving us two bills. By the time we dug through this and figured it out we immediately sent out a check and it was then returned. We moved and severed ties with the former management company. We would just like the fee forgiven, we have the check ready to go. We didn't mean to be late, we were trying to figure out what we were paying for, why it was charged to 2401. Doing our due diligence.

We have properties in 10 cities and I'm trying my best to understand every fee and the taxes we have. I just wanted to see the process to dispute it, I'm not trying to waste anyone's time.

Moermond: we have the two inspected properties, the 2401 and 2409. It doesn't seem like this would be annually, is it every 2 years?

Shaff: yes, every 2 to 3 years.

Moermond: so \$680 due every two years. If they were considered as one property, would the price still be same? Around \$1,360?

Shaff: I'd have to calculate it, but it is clearly two separate building. In its history it has never been considered one building.

Moermond: I have no doubt you will run a tight ship moving forward.

Referred to the City Council due back on 1/8/2025

11 [RLH TA 24-364](#) **Ratifying the Appealed Special Tax Assessment for property at 291 BATES AVENUE. (File No. J2502R, Assessment No. 258501)**

Sponsors: Johnson

Layover to LH October 15, 2024 at 10 am for PO to review documents previously sent to him.

Vincent Tran, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order was issued April 30 2024 to remove and dispose of appliances and debris from the boulevard. May 6 compliance. No appeal filed then. Category 2 Vacant Building that is now abated. Code Compliance approved 8/12/24.

Moermond: why are you appealing?

Tran: when we got the house, someone dropped a tire there. I already had someone take the tire and recycle it.

Moermond: did you get the email from Mai Vang with the photos and everything?

Tran: no, I didn't.

Moermond: she sent it. There was a photo of a refrigerator on the boulevard.

Tran: we set that out and scrapper took it.

Moermond: I have photos of the contractor doing it.

Tran: no, we always do this. Set it out for free and a scrapper took it. Never does the City come and take something. We have one scrapper who goes around the neighborhood and he took it for us.

Moermond: how do you know that?

Tran: my assistant, Charlie Lee, makes sure. We do a lot of Category 2 building and none of them have a problem, okay?

Moermond: I'm struggling when I see photos of the refrigerator.

Tran: the City didn't take it. I always comply with the letters I get. I always do it before the City comes. You can see on my record.

Moermond: this is for this one specific appliance in the boulevard. It looks like it is just for the appliance.

Tran: I didn't see it.

Moermond: it was sent to Cathy Costello; she didn't share it with you?

Tran: no.

Moermond: your employee filed the appeal and didn't send it to you? You need to manage your communication better.

Mai Vang: I email it to Cathy on September 13 at 8:06 am and copied Mr. Tran.

Tran: I know you Mai.

Moermond: let's talk again in 2 weeks and wrap up this conversation.

Laid Over to the Legislative Hearings due back on 10/15/2024

12 RLH TA 23-330

Ratifying the Appealed Special Tax Assessment for property at 1199 REANEY AVENUE. (File No. J2501R, Assessment No. 258500)

Sponsors: Yang

Reduce assessment from \$345 to \$175.

Deborah Moriarty, owner, appeared via phone

Moermond: we're calling again about the cleanup in the back yard. Lisa Martin is a Supervisor in Code, she's on the line this time. We had a chance to look over some of the photos. There was a lot in your yard besides what was in the photos, correct?

Moriarty: right.

Moermond: the items in the photos it looked like you had cleaned up, by the porch area that is painted yellow. The other things in the back yard weren't necessarily cleaned up. Is that fair? I'm seeing black plastic bags and other things.

Moriarty: yes.

Moermond: there's some confusion about what the expectation was versus what actually got cleaned up. The City's order does say from the rear yard and the entire property, besides the area in the photo. I think you just looked at the photo. I want to say I'm going to split it down the middle. You have some responsibility but I can understand some of the misunderstanding. I'll recommend the Council decreases this from \$345 down to \$175. Any questions?

Moriarty: no.

Referred to the City Council due back on 1/15/2025

- 13** **RLH TA 24-365** Ratifying the Appealed Special Tax Assessment for property at 515 BEAUMONT STREET. (File No. J1502E, Assessment No. 258301)

Sponsors: Noecker

Delete the assessment.

No one appeared

Moermond: this is an Excessive Consumption for garbage cans in the street. Apparently they belong to the neighbor placing their cans there. It isn't something 515 Beaumont could have taken care of. Recommend deletion.

Referred to the City Council due back on 1/22/2025

- 14** [RLH TA 24-377](#) Ratifying the Appealed Special Tax Assessment for property at 908 EDMUND AVENUE. (File No. J2401V1, Assessment No. 248001)

Sponsors: Bowie

Layover to LH October 15, 2024 at 10 am (unable to reach PO).

Voicemail left at 11:35. This is Marcia Moermond from St. Paul City Council calling Elvira Garcia about your appealed special assessment for vehicle removal at 908 Edmund. We're going to reschedule this a couple weeks out, October 15 between 10 am and 12 pm. We'll try you again then.

Laid Over to the Legislative Hearings due back on 10/15/2024

- 15** [RLH TA 24-376](#) Ratifying the Appealed Special Tax Assessment for property at 1386 EDMUND AVENUE. (File No. J2501E, Assessment No. 258300)

Sponsors: Jalali

Layover to LH October 15, 2024 at 10 am (unable to reach PO).

Voicemail left at 11:37 am: this is Marcia Moermond from St. Paul City Council calling you about your appealed assessment for 1386 Edmund Avenue. We're going to continue this to October 15 and hopefully talk to you then between 10 and 12.

Laid Over to the Legislative Hearings due back on 10/15/2024

- 16** [RLH TA 24-346](#) Ratifying the Appealed Special Tax Assessment for property at 443 JOHNSON PARKWAY. (File No. J2501E, Assessment No. 258300)

Sponsors: Johnson

Layover to LH November 5, 2024 at 10 am for further discussion. CE staff to visit property to assess property line.

Ed Brazman, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: February 13, 2024 a Summary Abatement Order was issued to remove or dispose of a wheelchair lift and trash from the property. Compliance date of February 20th. Still there on recheck March 8, was not done and Excessive Consumption sent. Rechecked March 26 and it was done by the owner. Small history at the property, but orders have always been done by the owner.

Brazman: I don't understand what is going on. Some neighbor is calling the City for some reason and making these things an issue. The lift in my driveway was saving for a man customizing a van for his disabled child. I was cited for it being on my private property, albeit in my driveway. None of it is viewable from Johnson Parkway or Conway. It isn't impeding anyone else's property. I certainly don't run a junk yard. It was there, and I told the City inspector what I told you, it is being saved for a purpose. I just wanted to someone benefit from it. I was cited, it is a private item on private property nothing to do with anyone else and was going for a good cause.

Number two, the trash on the side of our garage. I told the inspector that isn't our garbage. We didn't put it there. That isn't even our property. Technically it is my neighbor's property. Basically, what I was told was the inspector's hands were tied since it was already cited and the only way I could contend was having some sort of hearing and the Council would make the decision. I have received hate mail anonymously. They won't disclose who they are, nor come speak to my wife and I like adults. There was a bus parked in my driveway and I have the residential inspector calling me about the bus and I had to tell him it was a personal vehicle not a commercial vehicle. It didn't even fit the guidelines of what would be a commercial vehicle. Then I never heard more about it.

Moermond: let's go back to the situation at hand. The garbage between garage and fence and the lift. You told the inspector the lift had a purpose, was there any discussion about addressing it in a certain time period?

Brazman: I asked if I moved it into the yard or garage if it would curb the issue altogether. He said yes. IT is still private property either way.

Moermond: I'm going to ask a Code Enforcement supervisor to go by and eyeball the property line. Generally speaking, there is a 3 foot setback from the structure. You can't build on a property line. In terms of storing the lift, it was listed February 13 in the Summary Abatement Order and you didn't appeal that order. Why?

Brazman: I missed the cut off, which I wasn't aware of until I read the notice more closely. Then I called and they said it would be an assessment and you can appeal that and contest. To the side would be considered my neighbor's drive. She's had cleanup done and trees cut that include the space where the trash is. My chain-link fence would be the marker of the end of our property and that trash it outside of the fence line.

Moermond: we'll have that looked at. There are plenty of times where fences are not on the property line. Let's talk again November 5.

Laid Over to the Legislative Hearings due back on 11/5/2024

- 17 **RLH TA 24-370** Ratifying the Appealed Special Tax Assessment for property at 874 SEVENTH STREET EAST. (File No. J2502P, Assessment No. 258401)

Sponsors: Johnson

Delete the assessment.

No one appeared

Moermond: this is a deletion, first thing is the assessment notice was sent to the wrong address, and we also have a graffiti abatement waiver for the property.

Mai Vang: there were two different properties on one parcel, which is now being fixed by Department of Safety & Inspections.

Referred to the City Council due back on 1/22/2025

- 18 [RLH TA 24-378](#) Ratifying the Appealed Special Tax Assessment for property at 1127 WINTHROP STREET SOUTH. (File No. J2502T, Assessment No. 258505)

Sponsors: Johnson

Layover to LH October 15, 2024 at 10 am. PO to submit invoice for lawn service for the time period in question.

Geraldine Lopez, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: May 30, 2024 a notice to cut tall grass and weeds was sent. Compliance date of June 3. Rechecked June 11 and photos taken; grass was not cut. Sent to work order and the work was done June 14.

Lopez: I spoke to Mr. Munoz; I told him we have a lawn service who comes every 3 weeks. I also asked about the leaves. They were going to mulch the leaves for the vegetable garden, and we were removing the rest which I told him. He said we were doing what we needed to. I checked in because we've never got a letter before. I did tell him I was on a schedule, I thought it was taken care of. The owner is my father and mother, who are seniors, but I take care of it.

Moermond: do you have any sort of an invoice you could get that would give me some dates?

Lopez: sure. He didn't do the third week because you guys had already come. That was the week he would have come. I can give you the first receipt.

Moermond: sure. Reply to the email from Mai Vang.

Laid Over to the Legislative Hearings due back on 10/15/2024

Special Tax Assessments-Rolls

- 19 **RLH AR 24-86** Ratifying the assessment for Collection of Vacant Building Registration fees billed during June 20, 2023 to April 22, 2024. (File No. VB2502, Assessment No. 258801)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 20 **RLH AR 24-87** Ratifying the assessment for Securing and/or Emergency Boarding services during May 2024. (File No. J2502B, Assessment No. 258101)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 21 **RLH AR 24-88** Ratifying the assessment for Demolition services from January to June 2024. (File No. J2501C, Assessment No. 252000)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 22 **RLH AR 24-89** Ratifying the assessment for Demolition services from February to March 2024 (C.D.B.G. Funds). (File No. J2502C, Assessment No. 252001)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 23 **RLH AR 24-90** Ratifying the assessment for Fire Certificate of Occupancy fees billed during April 26 to May 23, 2024. (File No. CRT2502, Assessment No. 258201)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 24 **RLH AR 24-91** Ratifying the assessment for Excessive Use of Inspection or Abatement services billed during March 22 to April 19, 2024. (File No. J2502E, Assessment No. 258301)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 25 **RLH AR 24-92** Ratifying the assessment for Graffiti Removal services during April 3 to June 11, 2024. (File No. J2502P, Assessment No. 258401)
Sponsors: Jalali
Referred to the City Council due back on 1/22/2025
- 26 **RLH AR 24-93** Ratifying the assessment for Towing of Abandoned Vehicle(s) services

during January to May 2024. (File No. J2501V, Assessment No. 258000)

Sponsors: Jalali

Referred to the City Council due back on 1/22/2025

11:00 a.m. Hearings

Making Finding on Nuisance Abatements

- 27 [RLH SAO 24-69](#) Making finding on the appealed of Edward Albrecht to a nuisance abatement ordered for 1529 GRANTHAM STREET in Council File RLH SAO 24-52.

Sponsors: Jalali

The nuisance(s) are abated and the matter resolved.

No one appeared

Moermond: we'd granted the appeal on the tall grass and weeds. Allowed the toolbox and a few other items to remain. Gave an October 1 deadline for the balance.

Martin: so his findings cover the remaining items?

Moermond: yes.

Supervisor Martin: Mr. Kedrowski says everything is done.

Referred to the City Council due back on 10/9/2024

Correction Orders

- 28 [RLH CO 24-8](#) Appeal of Thomas Nelson & Ranettia Alexander-Nelson to a Correction Notice at 493 VAN BUREN AVENUE.

Sponsors: Bowie

Recommendation forthcoming.

Thomas Nelson & Ranettia Alexander- Nelson appeared via phone

Moermond: following up on our previous conversation. We got background on the site plan that was approved and rejected in rapid succession. Looking at the situation, what I'll say is you need to reapply with a corrected site plan and look for that variance to have the parking where you have it now. There simply isn't a City record to say it has been approved. What I am going to propose to the Council is a November 1 deadline for vehicles to be moved, and if you have filed a site plan we will work with staff to figure out how long it will take to review and adjust the deadline accordingly. Without having that filed we'll have a November 1 deadline, Making finding November 5 and Council Public Hearing 6. Actually, we'll have the Council Public Hearing November 6, give you a November 15 deadline.

Thomas Nelson: the original plan said I didn't have rocks down before and that wasn't

so.

Moermond: what they said in the letter on May 2 that went to you said there was an error in the description of the yellow highlighted area on the site plan and their take was that it was existing gravel, and after reviewing the 2017 aerial photo showed it covered in grass not gravel.

Thomas Nelson: but it was gravel. The photos show rocks were down there in 2017.

Moermond: I don't think it did, no. I can look again.

Thomas Nelson: it shows class 5 rock.

Moermond: I have 2020 and 2022 showing grass.

Ranettia Alexander Nelson: that's what I'm saying, if you were to just drive by, it doesn't matter if its green. We had trouble keeping it up going in and out of town. It grew through the rocks. Yaya Diatta said it looked like there was gravel under there. He saw the gravel in between the weeds. It wasn't grass, it was weeds.

Thomas Nelson: the 2017 photo shows yellow rock, got complaints, so we redid the whole thing in gray rock.

Ranettia Alexander Nelson: it wasn't our decision, it was what we were told.

Moermond: I continue to rely on the professional opinion of those who do the plan review. I will give it one more look. They had a firm opinion that it wasn't. One last look and give you another set of information and do my due diligence even more. I'm being honest about what I saw, but I will look one more time.

Thomas Nelson: on 2017 there was walk. It wasn't as much because they complained about the amount. They wanted it repaved with more rock. That's why the complete thing was done in 2018 with class 5. 2017 letter saying we had to add more rock.

Ranettia Alexander Nelson: if someone wants to come out, we can show them. It wasn't grass it was weeds.

Thomas Nelson: look at 2017, he took a magic marker and darkened off the rock he didn't want to see there was rock there. Someone at Council sent us one photo showing an L shaped rock area that was darkened out.

Ranettia Alexander Nelson: we did what we were asked to do and it was costly. To remove those rocks is going to cost even more.

Referred to the City Council due back on 10/23/2024

29 [RLH CO 24-10](#)

Appeal of Jerry Brashier to a Correction Notice at 511 MINNEHAHA AVENUE EAST.

Sponsors: Noecker

Layover to LH October 8, 2024 at 11 am (unable to reach PO).

Voicemail left at 12:33 pm: this is Marcia Moermond from St. Paul City Council calling you about your appeal for a cargo container at 511 Minnehaha Avenue East. We'll try you again on October 8. Your appeal form does say you were coming in person, and

we haven't seen you. We're happy to call you October 8, or you can come.

Laid Over to the Legislative Hearings due back on 10/8/2024

1:00 p.m. Hearings

Vacant Building Registrations

- 30 RLH VBR 24-61** Appeal of Lee Yang, Yangs Invest LLC, to a Vacant Building Registration Fee Warning Letter at 933 BEECH STREET.

Sponsors: Johnson

Recommendation forthcoming pending LHO discussion with Building Official.

Lee Yang, Yangs Invest, LLC, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: this property had a fire January 16, 2024. A Vacant Building Category 1 file was opened by Inspector Hoffman. A few tall grass and weeds issues, 6/24 and August 5. We also had a complaint about it being open to trespass September 16. Other than that, it has been ok. The Vacant Building registration form was sent out on time, but it was returned to our office a month later by US mail. Ms. Sheffer then resent and the appellant filled it out requesting the 90-day fire waiver. That was given March 19, 2024 which took them through June 27, 2024 where Mr. Wagner gave another 90 days on the Vacant Building fire fee. It is my understanding we are here today to discuss the Vacant Building fee that is now due as of September 17, 2024.

Moermond: Mr. Dornfeld, the record shows the fire occurred in January, if a 90-day waiver was issued wouldn't the 90 days begin then, which goes to April rather than being issued in March, which essentially gave a 5-month waiver.

Dornfeld: I have no authority or opinion when it comes to the Vacant Building fee. That would be a Ms. Sheffer, Mr. Wagner or Mr. Hoban question. I have no say in the fee whatsoever.

Moermond: let's do a follow up email on those calculations. There are no initials attached to the June 27 custom waiver. Was Clint doing the waiver?

Dornfeld: Mr. Wagner is normally the one in charge of any waivers. Ms. Sheffer enters all the waivers. If it went from Clint Zane, it had to go to Ms. Sheffer and whether or not she included Mr. Wagner I don't know. But she does all the waivers.

Moermond: so we have 9 months' worth of waivers. Mr. Yang, tell me about what is going on.

Yang: thank you. The reason I came is because I shouldn't have the fee because I pulled 2 permits, one in 2023. They told me I had 90 days to do it. It isn't easy, we have to go through insurance, they do an investigation. It is \$200,000 damage. I pulled a permit and my inspector was there and he finalized my framing 7/10/24 and everything was good. Why do I still have a Vacant Building fee [holds up building permit] it should have gone back to this so I could continue working. I already made corrections on stuff I already did; it should go back to my building permit so I could

get my Certificate of Occupancy. I feel like it isn't right for me to pay that Vacant Building fee.

Moermond: there are a lot of open permits here. A couple are finalized. Most remain open, most have had rough inspections.

Yang: we had to redo everything after the fire. My subs had to pull permits; it is like a new building.

Moermond: there are 3 building permits open. Whether or not a building is in the Vacant Building program isn't connected to whether it has permits pulled or not. It is connected to the fact that it meets the definition of a Vacant Building. In your case, it is considered uninhabitable until those permits are finalized. That hasn't happened yet. Those sign offs are what matter and what gets you out of the Vacant Building program. I'm in a difficult position, through no fault of yours, that the Department of Safety & Inspections has issued 9 months of waivers on the Vacant Building registration fee. This fee covers mid-January 2024 through mid-January 2025. It was waived through September, meaning if you got it done before then no fee would have applied. Otherwise, the fee comes into play. Many people are able to have insurance pay these fees. That is the way it happens for a lot of these. Because of where the permits are at and the fee has been waived for so long. My practice is never to have Council waive the fee more than 90 days, max six months. That's my hard line. I'm really left with no options; the Department took those away. I have to recommend approval of it. That is based on how much of the year you've been in the Vacant Building program. If you don't pay it, when it comes forward as an assessment onto the property taxes, which is also appealable. It can be made payable over a number of years.

Yang: I thought the Vacant Building status only counted for existing buildings. This is a new building, it just got on fire. I didn't look at City code so I didn't know the law.

Moermond: Mr. Dornfeld, I'm guessing this doesn't happen often, that there's a fire in a structure that didn't have a Certificate of Occupancy already. This was a new build.

Dornfeld: this is extremely unfortunate and rare, but my opinion would be that is why you saw the extended waivers from the Department.

Moermond: which is different than dealing with it above board. What I'm going to look at in your situation is, it seems to me, it hinges on "Vacant Building: a building or portion of a building which is". At what point does it become a building versus something under construction? I think that comes from the MN State Building Code. I'm going to look into that. I'll then have a recommendation taking that into consideration for the Council. If it is a building, then yes you'd be in the Vacant Building program. If you aren't a building when the fire happened, then no, you don't belong. I hear your argument that you don't originally have that Certificate of Occupancy so you aren't. We'll follow up with an email with that recommendation.

Referred to the City Council due back on 10/23/2024

31 [RLH VBR 24-62](#)

Appeal of Dinh Thong to a Vacant Building Registration Notice at 899 BURR STREET.

Sponsors: Kim

Layover to LH October 8, 2024 at 1 pm (unable to reach PO).

Voice mail left at 1:49 pm: this is Marcia Moermond from St. Paul City Council calling

you about your appeal for 899 Burr Street. We'll try back in a little bit and hopefully catch you.

Tried calling at 2:32 pm and voicemailbox was full.

Moermond: let's lay this over for a week.

Laid Over to the Legislative Hearings due back on 10/8/2024

32 [RLH VBR 24-59](#) Appeal of Zoltan Pusenyak to a Vacant Building Registration Notice and Code Compliance Inspection Letter at 1024 MINNEHAHA AVENUE EAST.

Sponsors: Johnson

Layover to LH Tuesday, October 22 at 1 pm for further discussion after October 14 Fire Inspection at 1 pm.

*Zoltan Pusenyak, owner, appeared via phone
Romisha Jones, tenant, appeared via phone*

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this started as a referral that the windows were broken. That was March 20, 2024. Inspector went there March 21. Orders issued. Spoke to the Responsible Party. April 22 there were more broken panes and it was partially boarded. No repairs to garage and windows, other than boarding. The inspector spoke to Responsible Party or owner about work on garage. July 1 the inspector left a Voicemail for the Responsible Party concerning long-term noncompliance. They added additional exterior items. July 8 I left a Voicemail for the property owner, didn't receive any calls back. July 10 we transferred the orders to Fire Certificate of Occupancy to do an early Certificate of Occupancy. August 21 the property owner was present for the inspection. Had no interior access to the dwelling. September 4 the property owner again was present, not a whole lot had been done from the orders. The property owner had asked for more time, but it was explained due to the long-term noncompliance and notifications that we were going to take enforcement action with the building. We sent it to Vacant Buildings.

Staff report by Supervisor Matt Dornfeld: we opened a Category 2 Vacant Building September 5, 2024 per Inspector Hesse he notes the house appeared occupied. He went back September 12 and noted again it was occupied and sent orders to vacate. September 19 notes house appears occupied and sent another letter.

Moermond: Ms. Shaff, is there a date in here on when it should be vacated because the Certificate of Occupancy was revoked?

Shaff: the August 21 letter says reinspection September 4, 2024 at 11 am or the property vacated by August 31, 2024.

Pusenyak: I feel like I complied. I put up the boards on the windows. I don't have evidence, but I felt like I complied with the orders. Even in August I did work on the house even though the inspector said I did not. I cut all the brush and worked as much as I could. There were only like 2 items left. I haven't gone up to the roof yet. Garage wasn't painted yet, but I was working on the soffits so I could paint them the same day. I feel like I was working on it.

Claudia (wife of Pusenyak): one of the ladies say they left, and I don't know what kind

of message that was on July 8. We didn't receive that message, probably because we were outside of the Country. We were gone all of July. When we came back from our travel we started to work on all of these deficiencies. We didn't know it was two departments, Fire Certificate of Occupancy and Vacant Buildings. We were confused about that.

Moermond: the basis of your appeal is you trimmed the bushes, you boarded the window of the garage, you were working on it and were gone the month of July. Is that the sum of it?

Pusenyak: pretty much. I got the first letter in March. I just didn't understand the point about the garage. We left the country in July

Moermond: it doesn't appear you appealed any of these orders.

Pusenyak: I didn't know I could.

Moermond: Ms. Jones, why are you appealing?

Jones: I've lived here 11 years. We haven't had inspectors come out like this ever over some bushes. I don't know if he's picking on us because we're people of color or what. I only have one son, he's 12, who lives here. They busted the windows using the basketball hoop. I tried to fix it with plastic, but it keeps coming down. Zoltan cut everything down and replaced the window with a board that looks nicer. They say we have to be out in 5 days. Where can we go? Who would put a family out now, homelessness is on the rise. If you're working with Zoltan you should let the renter know what is going on too. Better communication, he's the owner but you have real life people living there. Can I stay, or do we need to move ASAP? He's been working diligently on the house. I'm livid right now. Some trees don't make it uninhabitable. It is all little cosmetic things. This is insane to me.

Moermond: we have the most recent letter with the inspection September 4. Mr. Pusenyak, do you have that?

Pusenyak: yes, with 20 items? We finished them all.

Jones: he fixed all of it, put up smoke detectors. Everything has been done. The trees were done before the fourth.

Moermond: the first thought I have is it sounds like there wasn't communication or agreement between owner and inspector about original orders and the interactions in March through May. It got continued to be a full Certificate of Occupancy issue in July. You were out of the Country. The next appointment was in August, you were there. The property owner was there but the tenant didn't allow access. September there was access but no action. I guess I'm in a place where I'd like to see this fixed, at the same time it is frustrating it had to come to this place to get it dealt with. I'd like to see another bite at the apple, if we can get you out of the Vacant Building program I'm all for that. When you say you finish things Mr. Pusenyak, in particular with the driveway. That may be longer-term, also the hardwired smoke detector. Those are dealt with as well?

Pusenyak: I asked the tenant not to park in the back for now, just in front of the garage. The smoke detector was working.

Moermond: Ms. Shaff, item one can you explain more?

Shaff: the smoke alarm in the bedroom was missing. The inspector made the decision, typically we're back within 24 hours, but because there was a hardwired one outside the bedroom it wasn't 24 hours. Requirements have changed over the years; additional smoke alarms are required. That smoke alarm needs to be replaced.

Moermond: that sounds like an easy fix. Let's get an inspector out there to see if we can't get this signed off on. I know Fire Certificate of Occupancy is short staffed, can you get someone out in two to three weeks.

Shaff: given the allegations against the inspector I will go with. We could do this Monday October 14 at 1 pm.

Pusenyak: yes, that works. To clarify about the smoke detector, one was missing and that is being found. The tenant found it.

Shaff: we'll check that when we come out. If it is over 10 years old it is expired, so double check it.

Pusenyak: some of this stuff is just ridiculous.

Moermond: so we have that. We have an inspection set. We'll talk on the 22nd and if you have your Certificate of Occupancy reinstated we'll be set.

Laid Over to the Legislative Hearings due back on 10/22/2024

33 [RLH VBR 24-60](#)

Appeal of Romisha Jones, Tenant, to a Vacant Building Registration Notice and Code Compliance Inspection Letter at 1024 MINNEHAHA AVENUE EAST.

Sponsors: Johnson

Layover to LH Tuesday, October 22 at 1 pm for further discussion after October 14 Fire Inspection at 1 pm.

*Zoltan Pusenyak, owner, appeared via phone
Romisha Jones, tenant, appeared via phone*

[Moermond gives background of appeals process]

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