



Minutes - Final

Legislative Hearings

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Tuesday, April 8, 2025

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 25-10](#) Ordering the rehabilitation or razing and removal of the structures at 947 FREMONT AVENUE within fifteen (15) days after the May 14, 2025, City Council Public Hearing.

Sponsors: Johnson

Grant 180 days pending posting of PD and submission and approval of: 1) specific bids, 2) copy of SOS filing for LLC, 3) updated schedule/bids if necessary once CCIR is completed.

Jay Mitchell appeared

Mitchell: I have the Performance Deposit check; I'm waiting for it to clear before I post the Performance Deposit.

Moermond: this has been confusing in terms of the ownership path, at least.

Staff report by Supervisor James Hoffman: The building is a one story, wood frame, single-family dwelling on a lot of 4,966 square feet. The concrete slab for the garage is still present. The property was referred by Code Enforcement to Vacant Buildings with files opened on January 18, 2018. The current property owner is The Money Man LLC, per Amanda and Ramsey County Property records.

On January 29, 2025, an inspection of the building was conducted, a list of deficiencies which constitute a nuisance condition was developed and photographs were taken. An Order to Abate a Nuisance Building was posted on February 3, 2025, with a compliance date of March 5, 2025. As of this date, the property remains in a condition which comprises a nuisance as defined by the legislative code. Taxation has placed an estimated market value of \$25,000 on the land and \$111,300 on the building. Real estate taxes for 2024 are delinquent in the amount of \$3,199.62, which includes penalties and interest. The vacant building registration fees were paid by assessment on February 3, 2025. A Code Compliance Inspection was done August 14, 2020 however a new one was applied for today, April 8.

As of April 7, 2025, the \$5,000 performance deposit has not been posted. There have been thirty Summary Abatement Notices since 2018. There have been six work orders issued for: boarding/securing, tall grass/weeds and snow/ice. Code

Enforcement Officers estimate the cost to repair this structure exceeds \$150,000. The estimated cost to demolish exceeds \$35,000.

Moermond: Vacant Building program for 7 years. Orders on it throughout that period. Currently I know the Money Man LLC acquired April 2024.

Mitchell: I can give some insight. Up until January---the April date is when foreclosure proceedings started with the previous owner. Just mid-January we got it. We didn't have any possession before that.

Moermond: who owns moneyman LLC?

Mitchell: Dan Gelb

Moermond: can I get that SOS paperwork so I have a name associated with the LLC.

Mitchell: sure.

Moermond: taxes haven't been paid since 2021 at least. Call Ramsey County about the amount due and owing on that. Let's get that paid.

Hoffman: the last Summary Abatement Order was sent October 2024.

Moermond: been maintained during your ownership at least, which is great.

You have pretty precise numbers for bids on electrical, plumbing and HVAC. I assume you're doing building?

Mitchell: yes.

Moermond: can I get those bids for those numbers?

Mitchell: yes.

Moermond: so we just need that Performance Deposit posted, any modifications to the work plan after the Code Compliance Inspection is completed, and maintain the property. Why don't we talk on May 13, but we won't have to if you get those materials in, the check clears and the Code Compliance is done we won't need it. Otherwise, we'll pencil you in just in case there are any hiccups. If everything is together before it hits Council, you can begin pulling permits.

Laid Over to the Legislative Hearings due back on 5/13/2025

Staff Reports

- 2 [SR 25-50](#) Review of a potential stay of enforcement of demolition for Jay Mitchell, on behalf of Quality Residences, LLC. at 401 ROSE AVENUE EAST.

Sponsors: Kim

Grant an additional 45 days to complete rehab.

Jay Mitchell appeared

Staff update by Supervisor James Hoffman: a new Performance Deposit posted and

cleared May 21, 2025.

Moermond: that's what I wanted to know. Where are you at with permits?

Mitchell: HVAC inspection to close out on Weds. Electrical is closed. Plumbing should be closed by the following Monday. Then just the building is left, so I expect to be out by the 22nd, there are just exterior items left.

Hoffman: doesn't look like there's a rough in done on the building.

Mitchell: there isn't one.

Hoffman: no issues at the property either, it has been maintained.

Moermond: this is your second grant of 180 days. I'll recommend an additional 45 days to complete. The biggest thing now is I don't trust the financing. I want checks cleared. I want funds segregated. I don't want the Council took something and I'm telling them something that isn't true.

Mitchell: in fairness to him and myself, because of the time deadline and he was travelling at the time, his controller was sick and issued a check, I had to have it in and off my own account specifically for these things. I deposited the check, I thought credits happened before debits. Your check went through before the deposit cleared, that's why I didn't know.

Moermond: and to be clear the \$5,000 is listed in the order to abate you receive six weeks before our first hearing. Then you have time from that hearing until it goes to Council.

Mitchell: it wasn't the first one, it was the second one. It was like a week. Otherwise, it never would have happened.

Moermond: oh right, thank you for clarifying. Towards Department of Safety & Inspections, the fact it went 4.5 months without notification the check bounced. I don't know who needs that conversation but things need to be notified to us.

Mitchell: I apologize. One thing is he is good about showing the money. That's why I stick with him. I just didn't notice the check didn't clear.

Received and Filed

10:00 a.m. Hearings

Making Finding on Substantial Nuisance Abatements

- 3 RLH RR 25-8** Second Making finding on the appealed substantial abatement ordered for 594 BRUNSON AVENUE in Council File RLH RR 24-31. (Amend to grant additional 90 days and forfeit \$5,000 of \$10,000)

Sponsors: Noecker

Forfeit \$5,000 of \$10,000 PD and grant additional 90 days to complete rehab.

Voicemail left at 10:04 am: Good morning Ms. Sibat this is Marcia Moermond from St. Paul City Council calling to follow up on the last hearing indicating if you wanted me

to consider changing my recommendation encouraging you to submit documents. We haven't received anything, so my recommendation to Council next week is removal. If you want to testify to speak to Council about those items and move forward that's the next step.

[Note: after LH PO submitted documents and above recommendation was given by LHO]

Referred to the City Council due back on 4/16/2025

- 4 RLH RR 25-11** Making finding on the substantial abatement order of Julia Spencer, Greater MN Housing Corp. to a substantial abatement ordered for 1117 JENKS AVENUE in Council File RLH RR 23-10.

Sponsors: Yang

Grant an addition 45 days to complete rehab. Continue \$5,000 PD.

Julia Spencer, GMHC, appeared via phone

Moermond: we have an update from Inspector Zane and he reports you are 99% done. That's fantastic. The Council originally gave time back in October 2024 of 180 days. I'm thinking I'm going to ask the Council to extend the time you folks have to complete another 45 days, 7 weeks, thinking you shouldn't have a problem making that deadline. Once you have your Code Compliance certificate you would be able to ask for the Performance Deposit back. We'll send that resolution through giving you another 45 days. We won't ask for any additional Performance Deposit or plans or evidence of financing. Keep maintaining the property.

Spencer: sounds great, thank you. We're hoping to close May 15.

Referred to the City Council due back on 5/7/2025

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 5 [RLH SAO 25-9](#)** Making finding on the appealed of Michael E. Corcoran to a nuisance abatement ordered for 1478 AMES AVENUE in Council File SAO 24-51.

Sponsors: Yang

Layover to LH April 15, 2025 at 11 am (requested by PO). Will also discuss new VAO at that time.

Michael Corcoran, owner, appeared via phone

Corcoran: I have a migraine.

Moermond: do you want to reschedule?

Corcoran: a week would be good.

Moermond: Ms. Martin did observe new vehicles in the yard, she's going to write new

orders and we'll discuss that on April 15 as well as your progress on the existing orders. We'll talk next week.

Laid Over to the Legislative Hearings due back on 4/15/2025

Making Finding on Nuisance Abatements

6 [RLH SAO 25-32](#) Appeal of Ana Silva to a Summary Abatement Order at 1016 DESOTO STREET.

Sponsors: Kim

Grant to April 18, 2025 for compliance.

Ricardo Patron, Spanish interpreter, appeared
Ana Silva, owner, appeared via phone

Moermond: we have a cleanup order for the property. [Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued March 25, 2025 to remove and dispose of the trash from the back of the property. Compliance date was April 2, 2025. No returned mail. Photo is on the Summary Abatement Order.

Silva: since the moment I bought the house I've had this problem. This is an area that is about the size of a car. There's no fence and my neighbors are the ones using it. They are doing mechanical work on cars, and they drink and it is very bothersome because I am there by myself with my daughters. I feel extremely uncomfortable to be in my yard by myself because there are so many people and I don't feel safe. I'm not the only one complaining about this, it is all my neighbors. Not only all the trash they leave in my area they block the alley. For me, I think the solution is to put up a fence. But I think my daughter is the one speaking English and calling the areas we've been referred to; they are trying to understand where exactly we're putting the fence. I see two poles at the edge of the property but I'm not sure if that is the limit of my property or a fence there before. I took a photo before I came.

Moermond: absolutely, show it to me. [reviews photo] That's the side of a garage. Is that your garage?

Silva: no, the driveway, a fence, and then the area where they are using it as a parking.

Moermond: I have a map here; can you mark where they are parking and where you'd put the fence?

Silva: the neighbors had to put up a fence because of the same issues.

Moermond: this is the back of the property, I'm sure your fence can be up to 7" high. Here's where the trash is, do these people (across alley) experience problems?

Silva: they don't see them because their garage entrance is on the other side and they're working a lot so not at home.
I've called the police as well about the trash and talked to the inspector last week. They told me there was a small fridge and they would remove it, the trash collection.

Moermond: you said that these people blocked the alley? Can you tell me where that is, how that happens?

Silva: they park the car there and park other cars right at the alley. [shows on map] We have also a problem with cats, because they have a lot of cats they haven't neutered. I've tried to adopt some but it is expensive, I'm just trying to help.

Moermond: Ms. Martin, 1016 Desoto is a corner property. The garage is flush with the Lawson side and the driveway to that garage is also flush with Lawson and enters into the alley. It looks like a 70-foot lot and the area that is problematic is between the driveway along Lawson and the neighbor at 1012 Desoto. There's some surfacing there and that's where the problem is with the people. The problem neighbors are 1017 Burr. She wants to move the fence along the alley and there also some communication problems with them entering the property without permission.

Martin: we have St. Paul Police Department officers that work with us, I can talk with them about it as well as the area inspector. I recommend they submit a site plan for that fence, and sometimes motion lights and a sign help.

Moermond: they don't have a structure that abuts the alley. They'd have to do that on some kind of post. Or the fence once it is up.

Martin: they do have solar lights that come on at night that could go on the fence.

Silva: I already have a no parking sign up. They also burn trash at their property.

Moermond: open burning at 1017 Burr as well. Looking at code, the height of the fence can be up to 7", the area between your driveway and your neighbor at 1012 Desoto. If you want to have fencing alongside your driveway the height may be different because it affects vision into sidewalk and right-of-way.

Silva: it wouldn't be that. Just that area I mentioned.

Moermond: when do you think you'll be moving this fence.

Silva: I need to get quotes and talk to them about timeline.

Moermond: you are going to be responsible for maintaining your own property. Ms. Martin is the Supervisor for all Code Enforcement on this side of the City. She is going to alert her inspectors about 1017 Burr being problematic so they can see about the open burning, trash in yard, other kinds of things that are violations. Because of your concerns about the threat they may pose, Ms. Martin would you be having a conversation with the officer? Or would you want the owner too?

Martin: I can give the officer her name and number, but we will definitely monitor that property.

Moermond: that would be great.

Martin: Officer Arntzen is the officer.

Silva: this Thursday they said they'd pick up the mini fridge. I think this week we'll be ready.

Moermond: Inspector Munos would have been the one who talked about the fridge. Is it going to be picked up?

Martin: if it is picked up it would be charged back to her.

Moermond: right, that was my concern. And it isn't in the orders specifically. We'll get you the number for City staff to talk to about how to coordinate that pickup. Let's put a deadline of the 18th on the fridge. I'll do the same deadline of April 18 on the loose trash. If it is done sooner, great. I think the most important thing is now you've talked to us and we have a much better idea about the relationship among those properties.

Silva: they also have supermarket carts, mattresses. They move them around. It would be really great if someone could monitor that.

Martin: we'll be there tomorrow.

Referred to the City Council due back on 4/16/2025

7 [RLH SAO 25-33](#) Appeal of Mary Hood to a Summary Abatement Order at 1311 SIXTH STREET EAST.

Sponsors: Johnson

Grant to April 21, 2025 for compliance.

Mary Hood, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued on March 28, 2025 to remove and properly dispose of a Bagster and contents on the boulevard. No returned mail. Compliance date of April 3. Photo in the file.

Moermond: you wrote in your appeal you just need more time; your rehab is almost complete. What is going on?

Hood: I did email a receipt that I've called Bagster to come pick it up. They give a window of 5 business days. The bag hasn't even been there that long. If they had a picture from 3 months ago or something. The Boulevard is the only place they will pick it up. Someone explained the City law to me when I was appealing, but that's the only place to put it where they will pick it up.

Moermond: what is that time-frame they gave you?

Hood: I called Monday or Tuesday and they will either pick it up the next day you call, they say they can pick it up the next morning at 6 am or the evening, but it is a 5-day window to squeeze you in.

Moermond: when you talked to them Monday or Tuesday you talked to them about process and not a date to pick up?

Hood: no, it is like waiting on an appliance to be delivered. They aren't specific, just a 5 business day window.

Moermond: today is April 8, this will go to Council April 16 and I'll ask them to set a deadline of April 21. So you have plenty of time for any issues, staff will recheck on April 21 and if it isn't gone—

Hood: that isn't ok, because I have paid and sent the invoice to the email that I have paid for it. Now it is up to them. I'm leaving out of town but I can have him check for pickup. They have not NOT picked it up when I've used it before. They don't pick up on weekends.

Moermond: you said you called and they gave you 5 days, that is the 14 of April, and I'll ask Council to give you another week as a cushion. That's what I was trying to explain.

Hood: it really just seems like a big penalty for this.

Moermond: sure, sure. I did notice in your file there weren't any permits pulled. Wasn't sure if you were working on those things. Electrical you can do yourself. The others need a qualified contractor.

Hood: even for replacing a toilet?

Martin: she should double check, but if they're just upgrading or replacing things it is fine.

Moermond: I just wanted to flag that for you.

Referred to the City Council due back on 4/16/2025

8 [RLH SAO 25-29](#) Appeal of Mario Lee to a Summary Abatement Order at 419 THOMAS AVENUE.

Sponsors: Bowie

Grant to April 21, 2025 for compliance.

Mario Lee, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued March 19, 2025 to owner to remove and dispose of the brush pile, plastic containers and miscellaneous debris from entire property, particularly back yard. Compliance date of March 26. No returned mail.

Lee: the amount of time the inspector gave to remedy it was unreasonable. I received the mail on the 22nd, that Saturday prior, to remove the brush. The follow up was Wednesday the middle of the week. During that time the County compost site is only open on weekends. I think it was too short of a period. By the time the letter got to me it was an unreasonable amount of time to remedy. We object to some of the articles considered to be rubbish. We're strong supporters of reusing and recycling items. Those are the items in use for future projects this summer. There are no wood piles. The wood currently there is for wood burning. Not any branches.

Moermond: I'm looking at a photo of branches.

Lee: sure, on that day there were branches but they aren't there now.

Moermond: do you have a garage?

Lee: it does.

Moermond: just for your information moving forward. During the winter you are correct that the compost sites are closed Monday through Friday, but starting April 1 they are open Monday, Wednesday, Friday, Saturday and Sunday, so you shouldn't have a problem getting them there.

Lee: at the time I got the orders, yeah. I got the orders on a Saturday which just gave me the balance of Saturday and Sunday to get rid of the branches. I don't have a truck; I have to tie it to the top of my sedan.

Moermond: is it gone now?

Lee: yes.

Moermond: you said there wasn't enough time and you filed an appeal March 24. Now we are 2 weeks later. How far are you in addressing this?

Lee: I believe right now the situation is remedied. I was appealing the amount of time on the Summary Abatement Order. In my profession when I give people the opportunity to remedy a local ordinance I give at least 30 days. To give just that short of a window to resolve—if we were out of town, which has happened before during a snow abatement notice—we are lucky we got back in time to clear the sidewalk in time. You have to take those types of things into consideration.

Moermond: I honestly have to say that if you're in this business then you know you shouldn't be leaving your yard in this condition and clearing the sidewalks is a public nuisance and just because you're out of town doesn't mean the person in the wheelchair doesn't need to get anywhere. You are saying you believe you are in compliance. I hope that is the case. I will recommend Council grants to April 21 to take care of this. That's a month after orders were received. The Council will make a finding on the 23rd to see if it was done. Staff will check on the 22nd.

Lee: the plastic containers we have currently on the property are makeshift raised gardens. It is claimed those aren't suitable for storage. I need a definition of "alternative storage" for buckets with soil and recycling bins with soil being used for raised gardens.

Moermond: it would be a nuisance for public health reasons with water and mosquitoes. Are there other concerns?

Martin: you are exactly correct. We don't allow any exterior storage. If you have a garage I would move it in there.

Moermond: have them put to a use, but as exterior storage buckets that isn't "in use".

Lee: they're full of soil. There's no water. All of them—they're 5-gallon buckets full of soil. Nothing in those containers is growing currently.

Moermond: when I use plastic containers for outdoor planting, I do empty the dirt out in the winter so they don't crack and freeze. When they are put to use I'm ok with it.

Lee: if they're empty and lying about, I agree.

Moermond: plant and organize them and then I'm ok.

Lee: a bit too early for that now, but I understand.

[Martin gives contact info]

Referred to the City Council due back on 4/16/2025

Correction Orders

- 9 [RLH CO 25-6](#) Appeal of Brian Poppoff to a Correction Notice at 1013 CENTRAL AVENUE WEST.

Sponsors: Bowie

Layover to LH April 22, 2025 at 11 am after staff review of 2016 orders relating to pavers/parking.

Brian Poppoff, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a cN went out March 20, 2025 to owner for 3 issues generally, there is a lot of items: vehicles and trailers not on an approved surface, exterior sanitation with appliances and garbage throughout yard and in trailers, and zoning issue to stop scrapping at the property. Compliance date of April 2 and photos in the file.

Poppoff: the only thing I was concerned with, I did remove most of it. I repair appliances and had some stuff out of the garage. When I bought 11 years ago I parked my boat back there, and Code came by and told me I had to put pavers down and I did that and I've been parking there ever since. That's my only issue, everything else is cleaned up.

Martin: there was a class 5 years ago, 2017, they'd allow that to continue. Pavers can be used as a path to an approved parking area, but not parked on. You can submit a new site plan to get permission.

Moermond: Ms. Martin, can you connect with the staff person who wrote the 2016 orders. Folder is 17-218329. If the code was enforced incorrectly in 2017, which I think it was, we still need to fix it but I want to take that into account. Mr. Poppoff can we talk in 2 weeks, so staff has time to get out there and review this.

Poppoff: that works.

Moermond: we'll find out more about history here and we'll talk again on the 22nd about how it applies to today's situation.

Poppoff: sounds good.

Laid Over to the Legislative Hearings due back on 4/22/2025

1:00 p.m. Hearings

Vacant Building Registrations

- 10 [RLH VBR 25-18](#) Appeal of Zach Johnson, US Internet Corporation, to a Vacant Building Registration Notice at 1540 RANDOLPH AVENUE.

Sponsors: Jost

Deny the appeal of the VB registration.

Zach Johnson, US Internet Corporation, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Mitch Imbertson: we have it as 4700 sq commercial business occupancy. Medical clinic was the last use we knew. Due for Certificate of Occupancy renewal but hadn't been scheduled yet. We got a referral February 26 from St. Paul Fire Department who responded to an alarm and found no fire, suspected alarm activation was due to water damage. Since the building was unoccupied the process was to revoke the Certificate of Occupancy and refer to Vacant Building division for monitoring. There was a second referral March 3 from St. Paul Fire Department regarding a dumpster fire at the building.

Staff report by Supervisor Matt Dornfeld: we opened a Category 1 Vacant Building per that referral. There are building, electrical and fire engineering permits on file pulled in March.

Johnson: we purchased the building December 18, 2024 and got a Conditional Use Permit (CUP) to turn it into a private utility building. That was approved. We are starting demolition May 2, including new roof and full interior remodel. Being it is awaiting renovations I've been checking it every so often. March 5 we noticed the dumpster had burned to the ground. It is news to me the St. Paul Fire Department responded, I called St. Paul Fire Department and St. Paul Police Department and they had no record of any dispatch. We've never experienced a Vacant Building registration before and just wanted to figure out the proper steps to start renovations May 1.

Moermond: that dumpster fire resulted in the St. Paul Fire Department at least alerting Department of Safety & Inspections inspectors to add it to your records. Paperwork was created. There should be something to be found.

Imbertson: there should be. I'm not finding anything but it shows in our records that it was a referral from the St. Paul Fire Department. There should be records available.

Moermond: send him a copy of the actual referral from Fire to Department of Safety & Inspections, and Mr. Imbertson will follow up with Fire for that report.

It is new to the Vacant Building program, there are some problems, you have permits and are taking action. I'm wondering first, what is the timeline for getting it up and running again?

Johnson: if we are able to start May 1 it is a 5 to 6 month build time from start to finish. It is extensive. Generator enclosure in parking lot, installing a generator. The roof is the highest priority due to the number of leaks into the building.

Moermond: we have a Conditional Use Permit (CUP), that isn't the same thing as a change in use? Any insight there Mr. Imbertson.

Imbertson: that is different than the occupancy of the building being approved for the new use. The building permit does mention it being a U occupancy monitoring switching station but they don't have the box checked indicating it is a change in use for their review. I am assuming plan review is aware of that, but...i don't know where it is at in the process.

Moermond: what was the previous use?

Imbertson: business occupancy for a medical clinic. From a B to a U as far as occupancy.

Moermond: we'll flag for plan review they should look at the use. You are probably familiar the change in use has to do with how the building is being used, it isn't a zoning thing. Different fire codes apply depending on use. Big changes require making sure those codes are being met.

Imbertson: that is accurate and that part of the review would happen as part of the building permit, which is still under review.

Moermond: I don't know a waiver would be helpful in this situation. What we can do to help is push this into the future, if its left unpaid it will be sent forward as a proposed assessment onto the property taxes. That is also appealable and then I can take into account how long it was in the Vacant Building program of the 12 month year. 6 max of 7 months to cut in half. That's from the March 5 date, so the end of August. I think this is a matter of prorating it down the line. Were you asking to be out of the Vacant Building program entirely?

Johnson: I'm just trying to do whatever is needed to start renovations May 1 and beating winter. We're open to paying the fee as long as we can pull permits.

Moermond: as a Category 1 you shouldn't have an issue with pulling permits. You've already pulled 3. Mr. Dornfeld could you put a note in the file saying building permits should be issued regardless of payment status of the Vacant Building fee.

Johnson: if we pay the fee, we have to do the same steps to certify for reoccupancy I assume?

Moermond: yes. Same steps to get the Certificate of Occupancy issued.

Imbertson: an empty building has no need to retain a Certificate of Occupancy, there's no disadvantage in that regard. I do have an update on the Fire Report. Please contact them directly, they don't like us to forward things. 1532 Randolph has the report under it for the call March 1, 2025.

Referred to the City Council due back on 4/23/2025

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 11 [RLH VO 25-6](#) Appeal of Maher Safi, Downtown Smoke Shop, to a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate at 55 FIFTH STREET EAST (381 MINNESOTA STREET).

Sponsors: Noecker

Deny the appeal.

*Carol Moss attorney, appeared
Maher Safi, owner of Downtown Smoke shop, appeared
Andrea Stoubenel, contractor, appeared*

[Moermond gives background of appeals process]

Moermond: this is an immediate vacate order. There are some life safety issues going on so we take it seriously. It also means I may make an interim decision before I send it to Council. I know the Manager of Fire Inspections was out with the assistant building official and I did get an update from them. we also need to sort out the occupancy issues versus the licensing issues.

Staff report by Supervisor Mitch Imbertson: this is the alliance bank center. There are 2 files, 55 5th Street East and additional orders under 56 6th street east due to a lost split. A number of repairs needed in the building to bring to minimum Code Compliance. Some dating back to 2022. More recently it has led to the level of needing to condemn the building. April 2, 2025 the condemnation was issued due to unsanitary conditions, lack of maintenance and lack of basic facilities due to heat being disconnecting. Most of the remaining items aren't relevant to the tenant space we are discussing. Quite a number of repairs needed in order to recertify the Allianz bank center.

Moermond: the fire alarm situation in the orders applies specifically to the entire building, items 4-6 on orders.

Imbertson: due to lack of current testing and trouble signals on the panel we may not have any functioning alarm system for the building right now. We don't have current reports for fire alarm testing nor the sprinkler.

Moermond: 381 Minnesota is also an address?

Imbertson: that sounds accurate. We often have multiple files connected to one building.

Moss: this space is different than the other businesses in the building. It is built off separately than the others at this address because it used to be a bank. We have our contractor here who can correct all the errs and address concerns in the condemnation so those issues aren't applicable to the space where the tobacco shop is located. The shop doesn't have an opening to the public other than the one to the street. The concerns about the elevator aren't applicable here. He is able to describe how we can make the repairs and fix the area as it relates to the business so that it is separate from everything else. We have the ability to put in a meter so the electric is separate and maintain payment, same with water. We can put in a commercial HVAC that would ensure that location has the heating and cooling needed. That location we can also install the appropriate fire panels so those concerns are separate as well. Because it is a former bank and set for a drive through it really is separate from the rest of the building. My client is willing to do those repairs at his own expense. We will do what is necessary so we are allowed to stay in that space. That will be done at my client's expense.

Stoubenel: the orange block is the lease space. The next page if you look at the triangles #1-4 and 6 is the permitter of the lease hold. It is 100 percent independent of the building except for the floor above. There is fireproofing and concrete floor based on previous experience that is a 3 hour rated floor. 12" masonry walls between 1 and 2 and 2 and 3. Could be rated between 2 and 3 hours. Building currently supplies electric and heat. It is an old boiler system, doesn't do a good job. We have our own hot water heater. For the electrical it is low usage, we can work with Xcel and the City and separately meter our consumption. No natural gas in the space. The heating would be electric as well as the cooling. Photos on the back, #1 is the

separation between our space, the masonry wall, and the bank building. There was an old drive through. Item 2 is the photo showing the bank entrance and our concrete walls, 3 is our rear fire door, 4 is outside of building, the glass storefront, built from the ground to floor above. 4 is from the plaza looking north and number 6 is the vestibule that enters into the bank building. We did have a permit in 2019 and we updated electrical and interior finishes. In between then and now we've done minor repairs, but it should be good.

Moss: what is on top?

Stoubenel: on top is a portion of the skyway, concrete ceiling with structural steel with fireproofing.

I: we have records of the building being partially sprinklered.

Stoubenel: it is not fire protected. No sprinkler. Our occupancy is 100/square foot, 12/15 people and there are never that many because it is monitored at the door.

Safi: one entrance on street level and concrete walls and ceiling. We don't need to access the Allianz building to do business. Minor problems we will take care of if there are any. Currently we are shut down. It cost me half a million dollars and I can't move due to current licensing ordinance.

Moermond: and you have talked to Department of Safety & Inspections and CAO office about possibility of an exception by way of ordinance.

Safi: I haven't got a clear answer.

Moss: we haven't received the proposed language yet. We obviously have some concerns about that, one being we were told there would be restrictions on only moving half a mile. He's been searching for locations diligently. They're either not leasing to a tobacco shop or it is in the skyway. I need to be street level. I then contacted an agent and we saw 5 or 6 buildings and they all don't want tobacco. That limits us to one location and we haven't seen it yet. It is difficult. The use makes it difficult to move.

Moss: it is a huge burden and not even a given we'd find something that would allow us to stay in business. We would rather stay where we are or at least get this portion up to code to stay there as long as possible. Because of the burden and our energy and goal is to stay in current space. They have left the space for the condemnation but we would like to get it up to code and return.

Stoubenel: obtaining a permit from the building department and being Code Compliance to occupancy I think is very doable. I think Maher would want to assure the Council that would be the best process. We're already needing electrical and HVAC and plumbing would be appropriate, emergency lights and fire extinguishers.

Moss: we could put rent in an escrow account, along with taxes, however the City deems it appropriate.

Safi: our rent was 2500/month including everything. A year and a half ago the owner wanted more money, I said how much, he said 5000 more. A huge increase. I am paying 7600, we can pay the same amount to help the City pay for electric or security or whatever concerns they have.

Imbertson: my biggest concerns is the building is still owned by Allianz Center LLC,

we've been notified they are not actively managing the property and have no contact info for anyone taking any responsibility for the property. We have no Fire Certificate of Occupancy for the building and even if it functions as a separate space it is still part of the larger building that has no active management. It would be a very complex situation to have an occupied space in a building with no manager to respond to things within the building, complaint issues, utilities. It is conditions that don't exist right now since we're proposing separating utilities to function more independently. Even without a sprinkler system it is still fed utilities from the main building. Without those being separated you have lines going through an area not being heated or maintained. A lot of general questions about how something like that would be workable.

Moss: I hear that concern; it has been the status quo for the last year. Obviously it would be in the owner's interest it moves forward since we're investing money into the asset. I understand the concern and it is something we could address, I do feel like we could find a way to do it.

Safi: I understand the concern but I'd like to stay as long as possible. They mentioned the electricity would be cut off but then the City still needs to electrical, water and utilities to stay and the City has taken over this and keep those things going. The City will be responsible for a portion; I am not sure what their arrangement is with the utilities. As far as I'm concerned it will be operating with minimal maintenance and security provided by the City. We don't need heat currently. If we can work something out with the City I think we'd be moving before winter.

Moermond: the City hasn't taken over. They aren't a receiver in this case, I believe they are using emergency power.

Imbertson: we aren't acting as property manager or receiver, under an administrative search warrant to take actions to secure the skyway and safe access to the Cedar car Park, which has shared access but is a separate parcel and not affected by the condemnation. That's already making a complicated situation.

Moermond: we have a cube, within a cube, and right now we have a Fire Certificate of Occupancy where the Responsible Party is deceased.

Imbertson: yes, in cases where they are a different structures or lot lines with separate parcels. If it functions as one building we try to keep the record as a single multi-tenant building.

Moermond: inspected as 2 mixed-use buildings depending on how the space is occupied?

Imbertson: yes, we try to inspect at the same time. Typically for a property like that we'd meet with ownership or a Responsible Party and walk through the whole structure for all the tenant spaces together. It is hard to separate issues for individual tenant spaces. They sound more separation than the rest of the tenants, but there are still shared utilities as you mentioned to have one space in a vacuum without considering the rest of the spaces around it.

Stoubenel: that is what is unique about this space only. It is more like a retail strip mall, where each space has its own Certificate of Occupancy. Inspected separately.

Moermond: I see a lot of Certificate of Occupancies under one certificate, but I respect that there are cases where that may not be the case.

Stoubenel: we build a tenant space, walls totally independent with separate utilities and we pay only for common areas.

Moermond: and when Fire Inspectors go out I normally see one Certificate for the strip mall. They handle all the orders together. Distinct spaces, but not dissimilar to a condo. I appreciate that though. Other comments?

Imbertson: we may have some spaces separate with fire walls with multiple tenants within one section treated as one structure under one Certificate and separate for the rest of the building, but we'd try to inspect it as one Certificate of Occupancy typically if its under one parcel. During construction however it would be certified by space, so it is a bit different than how we treat it as on ongoing rental.

Moermond: I am not a structural engineer. That's not my job. I'm not a building official. I hear from the professionals and what I would want to know more about is how distinct COULD this be treated when its within a high rise. There are conditions that simply exist that may be emergent and how they affect the space. For example, a water leak that causes deterioration of floors and walls that would impact this space. It is outside the envelope of this particular occupant space but still impactful. I have concerns about that. I have a concern about not having a Responsible Party for the building in which this is occurring. I'm looking to you, Ms. Moss, for some clarity. I have an order to vacate and revoked certificate based on conditions. I'm hearing a lot about conditions for reoccupancy, do you have a vision of where that would go? The condemnation is a snapshot in time saying no. You're saying in order to get them back in we'd like to do the following things.

Moss: the certificate issue that we've been talking about and the ability to separate it out I too am not an expert. I would like an opportunity to go back and look at that issue and if I find additional information and comments to submit that. Can I do that?

Moermond: the record is closed after the Council closes the Public Hearing.

Moermond: I'd like to research that more and see if something can be resolved. Responsible Party situation I think is something we can figure out. I think this proposal is the best for all parties involved. We will still talk to the CAO regarding the potential exception to the ordinance. But my client is willing to put real money on the table to stay, which I think reflects how important this is for us. We do think this is a positive way forward for all parties.

Safi: in the meantime, who is the Responsible Party in an emergency?

Moermond: we don't have anyone. It is an abandoned building for all intents and purposes. Obviously emergency services would be deployed, but we can't order something to be taken care of. No one has gone to court to have a receiver appointed.

Imbertson: we would respond to 911 call to the building, dispatch has contact info for our on calls inspectors who would respond as needed in whatever capacity we are able to, but we can't act as typical property manager.

Moss: we're working under emergency situations; I've reached out to the CAO to see what the plans are for the building. Any additional steps with the lender. I would continue to work on that to see what the City's intent is for this.

Moermond: the only one I'm familiar with is the Lowry across the street that was residential, a lot more human impact. I have a set of orders straight out of Legislative

Code and Fire Code. Both of which I can make recommendations on. These are a list of problems that led it to be condemned, so I'm reflecting on whether these conditions exist in such a way it makes a sense it is condemned? I'm hearing that they do, not in your space, your space is cleared out and then you would like a different path forward to reoccupy. When we talk about reoccupancy it is no longer about this list of violations; this is about pulling permits to do the work and approved under the building code. I am not in a position to grant permits or waive requirements and make exceptions. What I think you're really looking for is something in that process. If you were to go with an HVAC contractor to work on that space, would they allow permits? If the answer is yes, then you move forward. If the answer is no, then the building official, Nathan Bruhn, and you'd do a building code appeal. Disputes with that mistakes go to the State of Minnesota. I literally cannot do what you are looking for today in terms of a pathway to reoccupancy. I can only look at the conditions which do merit condemnation and I can't split off this space and treat it differently. The next step is trying to pull a permit and I can't chart that course for you. I only have impactful violations in front of me. I also have a concern about the lack of Responsible Party under the Code on top of everything else. I assume part of your leasehold would allow you to make changes of the nature you're proposing but I don't know that. That's a question mark. I'm going to recommend the appeal is denied.

In order to reoccupy you need a fire Certificate of Occupancy and in order to do that you still have the same steps you need to address and take. A conversation with Nathan Bruhn may be helpful. Supervisor Neis perhaps?

Imbertson: Building official would be a good starting point. I don't know how Fire would be able to initiate that conversation to declare a portion of the building habitable.

Safi: there has been a recent change in St. Paul where the violation letters have been going to building owner, not the tenant.

[discussion about how the City gets information on Responsible Party, County, etc for orders]

Referred to the City Council due back on 4/16/2025

3:00 p.m. Hearings

Water Bill Appeals

- 12** [RLH WB 25-2](#) Appeal of Suleiman Awl Isse to a Water Service Bill at 97 BATTLE CREEK PLACE.
- Layover to LH April 15, 2025 at 2:45pm (unable to reach PO).*
- No one appeared. Voicemail left: this is Marcia Moermond from St. Paul City Council calling Sulieman Awl Isse about the appeared water bill for 97 Battle Creek Place. We've been unable to reach you, so we'll continue this to next week to April 15. We'll send a letter via USMAIL.*

Laid Over to the Legislative Hearings due back on 4/15/2025