



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Meeting Minutes - Action Only

Legislative Hearings

Marcia Moermond, Legislative Hearing Officer
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651-266-8585

Tuesday, March 13, 2018

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 18-4](#) Ordering the rehabilitation or razing and removal of the structures at 642 CHARLES AVENUE within fifteen (15) days after the February 14, 2018 City Council public hearing. (Amended to remove within 15 days with no option for rehabilitation) (Public hearing continued from February 14)

Sponsors: Thao

Ling Zhou, owner, appeared.

Steve Magner, Code Enforcement Manager: letter (attached) sent to confirm that on Feb 14, 2018 City Council Public Hearing, Councilmember Dai Thao continued the matter to Wed Mar 14, 2018 at 3:30 pm with Legislative Hearing on Tue Mar 13, 2018 at 9 am

*-seek financial assistance to make repairs to the property
-as indicated in the Feb 2, 2018 letter, Ms. Moermond is looking for the following conditions: 1) post \$5000 performance deposit; (you had submitted a bond on 2-19, which was not accepted by DSI; 2) provide a work plan or sworn construction statement with timelines for the completion of the rehab indicating bids for subcontractors; 3) provide financial documentation indicating the amount of at least \$25,000 to do the rehab; 4) provide a letter of affidavit dedicating the funds to this project; 5) stay current with the Confession of Judgment for the delinquent taxes with Ramsey County; and 6) the property must be maintained*

Ms. Moermond: Mr. Zhou, has anything changed since we spoke last?

Mr. Zhou: no; today, I want to ask you for a little bit more time - a couple reasons: I am expecting a customer to pay me on the project has been completed within 2 weeks; also, my tax return is on the way; also, last week, received the letter from Councilmember Dai Thao referring me to Frogtown organization that might be able to help me financially; so, I do need a little bit more time to get all the money together

Ms. Moermond: have you applied with the Frogtown people?

Mr. Zhou: I just received the letter on Sat

Ms. Moermond: this came up at the City Council Public Hearing itself & I understand that the Legislative Aide from that office gave you a phone call letting you know what you needed to do; and, at the most basic level, the perf dep hasn't been posted & it has been weeks upon weeks; I know that the Community Development Corp is not going to pay that perf dep

Mr. Zhou: the money is coming

Ms. Moermond: about the work plan, you've indicated that you want to work at it as you go along but you provided me no work plan & ...

Mr. Zhou: I did hire a general contractor; he gave me the bid of \$24,000

Ms. Moermond: you haven't given me anything ..

Mr. Zhou: OK

Ms. Moermond: all that was outlined in the letter

Mr. Zhou: I will have it

Ms. Moermond: but you don't have it now & I told you a month ago that you needed to do this; this is like a red flag that you're not going to be able to perform the rehab, that you haven't been able to meet these steps; I'm not convinced that you have the capacity to execute this rehab; you haven't followed thru; City Council could look at it differently; but I will continue to recommend to them to Order this building removed; you may be able to convince them otherwise but I have no evidence that you have the ability to do this work

Remove the building within 15 days with no option for repair.

Referred to the City Council due back on 3/14/2018

2 [RLH RR 18-11](#)

Ordering the rehabilitation or razing and removal of the structures at 521-523 DESNOYER AVENUE within fifteen (15) days after the March 14, 2018 City Council public hearing.

Sponsors: Stark

Jay Olson, trustee & Jeff Chermak, proposed buyer, appeared.

Ms. Moermond: a lot has been going on with this property; you two gentleman have had a conversation with an attorney or two (not present this morning); when I spoke with your attorney, we talked specifically about the financial capacity to do this rehab & looking for the performance deposit to be posted, the past taxes to be paid & evidence of financing; do you have that material with you today?

Mr. Chermak: I do

Steve Magner, Code Enforcement Manager: a letter (attached) was sent out Mar 8, 2018 to confirm that on Feb 27 at LH, Marcia Moermond, LHO, recommended continuing the matter to Tue Mar 13, 2018 with the following conditions to be met with City Council Public Hearing on Wed Mar 14, 2018:

1. A \$5,000 performance deposit will need to be posted with DSI at 375 Jackson St, Ste 220, St Paul MN 55102 – please note that the deposit will be returned with interest when the code compliance certificate is issued within the grant of time from the City Council – which is proposed to be 180 days;
2. The outstanding delinquent property taxes will need to be paid;
3. A detailed work plan or sworn construction statement, including timelines and bids, for completing the work required in the code compliance inspection report will need to be provided, including subcontractor bids;
4. Documentation of financing sufficient to execute the above work plan will need to be demonstrated (line of credit, construction loan, personal bank account). The City estimates the cost to repair to be \$50,000; however, this number is likely to change based on the estimates you bring forward;
5. If the funds being used are not tied to the project (such as a construction loan), we require an affidavit that states the necessary funds will be set aside from other business or personal accounts;
6. A revised signed loan and construction agreement including exhibits; and
7. the property must be maintained.

Ms. Moermond: so, what do you have for me today?

Mr. Chermak: I have: 1) a receipt from Ramsey County for the taxes paid; 2) receipt from the City of St. Paul for the perf dep; 3) loan & construction agreement; 4) I emailed Fri or Mon bids, work plan & proof of finances; 5) I just found the affidavit but I don't have it notarized (entered)

Ms. Moermond: I did receive a copy from US Bank; the unsigned bids
-do we have the code compl insp scheduled?
-I do have enough here to ask the City Council to continue the matter to give you a chance to pull together those work plans

Mr. Magner: Mr. Seeger has been out there but it doesn't look as though electrical, plumbing, mechanical have done their inspection yet; we do have a lock box combination
-maybe some contact with Mr. Seeger or Mr. Ubl would be appropriate at this time to find out where we're at
-I'll contact Mr. Seeger/Mr. Ubl
-the property has been maintained

Ms. Moermond: I will ask the City Council at tomorrow's public hearing to Lay this Over for a couple of weeks to give you a chance to get that code compliance insp report in hand; get your contractors to take a look at it to see if there's anything that they want to change in their bid to reflect the code compliance insp report
-I thought that your bids were pretty comprehensive to cover what was likely going to need to be done
-I will ask them to go from Mar 14 to Mar 28, 2018 City Council Public Hearing

To be referred back to Legislative Hearing on March 27 for work plan, contractor bids, affidavit of financing and to continue public hearing to March 28, 2018.

Referred to the City Council due back on 3/14/2018

3 [RLH RR 17-19](#)

Ordering the rehabilitation or razing and removal of the structures at 412 GOODRICH AVENUE within fifteen (15) days after the July 19, 2017 City Council public hearing. (Public hearing continued from July 19) (To be referred back to Legislative Hearing on January 9, 2018)

Sponsors: Noecker

To be referred back to Legislative Hearing on May 22 for a signed contract so that forthcoming work plans can be presented.

minutes pending.

Referred to the City Council due back on 3/21/2018

- 4 [RLH RR 18-2](#) Ordering the rehabilitation or razing and removal of the structures at 1536 VAN BUREN AVENUE within fifteen (15) days after the February 14, 2018, City Council public hearing. (Amend to remove within 15 days with no option for rehabilitation)

Sponsors: Henningson

Layover to March 27 for work plan or sworn construction statement, bids; grant to April 2 for financial documentation.

Laid Over to the Legislative Hearings due back on 3/27/2018

- 5 **RLH RR 17-47** Ordering the rehabilitation or razing and removal of the structures at 380 YORK AVENUE within fifteen (15) days after the January 3, 2018, City Council public hearing. (To be referred to Legislative Hearing March 13, 2018)

Sponsors: Brendmoen

Need work plan by April 3. Will refer the matter back to Legislative Hearing on April 10 and City Council Public Hearing on April 11.

Referred to the City Council due back on 4/4/2018

10:00 a.m. Hearings

- 6 [SR 18-27](#) Reconsidering enforcement of Council File No. RLH RR 17-46, an Order to Raze or Remove the structures at 1060 AVON STREET.

Sponsors: Brendmoen

A resolution will go to City Council on March 28 to deny the request for reconsideration enforcement of Council File No. RR 17-46.

Received and Filed

- 7 **RLH RR 18-13** Making finding on the appealed nuisance abatement ordered for 1426 DESOTO STREET in Council File RLH RR 17-29.

Sponsors: Brendmoen

Legislative Hearing on March 27 @ 10 a.m. for updated work plan and revised financing documentation for the remaining repairs.

Referred to the City Council due back on 3/28/2018

11:00 a.m. Hearings**Correction Orders**

- 8 **RLH CO 18-8** Appeal of Michael Capistrant to a Correction Notice at 1620 DAVID STREET.

Sponsors: Bostrom

Grant the appeal on condition that the drainage is redirect to the south side of owner's property where the existing drainage swale is by May 15, 2018.

Referred to the City Council due back on 4/11/2018

- 9 **RLH CO 18-9** Appeal of Jairo P. Amaya to a Correction Notice at 1263 SAINT ALBANS STREET NORTH.

Sponsors: Brendmoen

Grant to March 22 to install house numbers on the house and garage; grant to July 6, 2018 to paint and scrape the garage and grant to August 31, 2018 to repair or replace the roof on the garage.

Referred to the City Council due back on 4/11/2018

- 10 [RLH SAO 18-14](#) Making finding on the appealed nuisance abatement ordered for 1839 SAINT ANTHONY AVENUE in Council File RLH SAO 18-13. (Legislative hearing on March 13)

Sponsors: Henningson

No one appeared.

Ms. Moermond: this is a sewer case where the line needs to be replaced; Triple E Contracting was going to do the line work; I saw that they had pulled a permit but I don't know.....

*Supervisor Lisa Martin: I spoke with Eric, Triple E, this morning & also last week; I think that he was going to call & leave a message here because..... here's his concern: the bid that he gave to the company for 1839 St. Anthony was for work done not during winter months; it was for spring work; had they contacted him back in Oct 2017 when the ground was not yet frozen, they would have had that cheaper bid but if they want the work done right now, it would be a higher bid; so, Eric, Triple E, stated that Jay did not inform him that this job needed to be done immediately; Eric was planning to do it in spring
-I explained to Eric that today was the deadline for the work to be completed; they have not started this project*

*Ms. Moermond: City Council adopted a Resolution already on Mar 7, 2018 granting an extension to Mar 9, 2018 to abate the nuisance conditions
-I will recommend that the Council find that the nuisance condition has not been abated & therefore, DSI should proceed with the nuisance abatement; CCPH is tomorrow & once they have their decision, DSI can move forward*

Ms. Martin: we'll take care of it

Ms. Moermond:

Nuisance condition was not abated and will authorize DSI to proceed with nuisance abatement.

Referred to the City Council due back on 3/14/2018

2:30 p.m. Hearings

Vacant Building Registrations

- 11 [RLH VBR 18-3](#) Appeal of Danielle Sobaski to a Vacant Building Registration Requirement at 1124 MATILDA STREET. (To be referred to Legislative Hearing on March 13)

Sponsors: Brendmoen

Laid Over to the Legislative Hearings due back on 3/27/2018

- 12 [RLH VBR 18-14](#) Appeal of Kianna Ballard to a Vacant Building Registration Requirement at 554 CHARLES AVENUE.

Sponsors: Thao

3/13/18: Deny the appeal; no one appeared.

3/14/18: Owner called and stated he got the wrong date on his calendar. Rescheduled to 3/20/18.

Laid Over to the Legislative Hearings due back on 3/20/2018