



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

*Marcia Moermond, Legislative Hearing Officer*  
*Mai Vang, Hearing Coordinator*  
*Joanna Zimny, Executive Assistant*  
*legislativehearings@ci.stpaul.mn.us*  
*651-266-8585*

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Tuesday, September 10, 2019

9:00 AM

Room 330 City Hall & Court House

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#### 9:00 a.m. Hearings

##### Remove/Repair Orders

- 1     **RLH RR 19-22**     Ordering the rehabilitation or razing and removal of the structures at 1146 PAYNE AVENUE within fifteen (15) days after the August 14, 2019 City Council public hearing. (To be referred back to Legislative Hearing on September 10, 2019)

Sponsors:     Busuri

*Lessee is to submit a timeline and scope of work for review. PH on September 25, 2019.*

*Tony Novak, Larson King attorney, appeared*  
*Boyice Williams, Marathon Petroleum, representing Speedway real estate division, appeared*  
*Steve Morris, Speedway Operations, and Northern Tier employee, appeared*

*Ms. Moermond: we laid the matter over for 30 days, you have the inspection reports, you posted the bond, you explained your long-term leasing from a California landlord, and you're looking to have a conversation with the landlord about where to go, and the tanks have been pulled from the site.*

*Mr. Novak: I have a new update, the short version is we're working on pulling permits, the scope of work is the punch list, and we found out yesterday and this am that the permits got denied, the contractors are waiting to see what happens here. The plan is to get the permits pulled and contractors fully engaged, they've submitted bids which we have, and then doing the timelines and the calendar. That's where we're at. We were hoping to say we have some permits have bene pulled, but we're in that phase.*

*Ms. Moermond: anything from VB or code enforcement?*

*Staff report from DSI supervisor Steve Magner: letter sent July 19 to Bill Tipping, Steve Morris, Boyice Williams re: the remove or repair, a letter dated July 19, 2019, which lists conditions.*

*Ms. Moermond: as I review the materials provided last month, I was looking but didn't*

see a schedule. I'm seeing an affidavit, the bids, but not a schedule, but you mentioned one.

Mr. Novak: the schedule is the only outstanding item. The plan was for the contractors to work with each other to coordinate, we hit the speedbump with the permits.

Ms. Moermond: no, I need to know how the contractors will approach the work before I can allow permits to be pulled. Who is there and when, when the different contractors are going in. They can have their materials together, we want to see scope of work, a work plan, that demonstrates the approach will be. Given the time of year I assume exterior work would be done first.

Mr. Morris: the repairs are pretty straightforward. There are no structural things. The work plan is just to go in and get it done, there's not significant rehab that needs to be done.

Ms. Moermond: every Category 3 that comes through provides one. If everyone is going in and getting it done, I'm ok with that, but I need you to document that approach.

Mr. Magner: the contractor or project manager would put together a timeline.

Mr. Morris: are you fine with us saying here's the plan, but we're hinged on permits?

Mr. Magner: generally, if you get everything in place, and its ready to go, the minute they submit the documents and its approved, Ms. Moermond makes a recommendation then it goes before Council for approval. That's a formality, then we change our system to allow permits to be pulled. If you guys are ready to go, I would do that.

Mr. Morris: so you're looking for a schedule so you can allow permits to be pulled? Easy enough.

Ms. Moermond: I thought so. What are you planning to put in there?

Mr. Morris: we're looking at options allowed by the landlord. We're not ready to say for sure what's going in there.

Mr. Magner: we had facility removals, so its former existing use as a gas retailer and convenience store, can't be in that configuration.

Ms. Moermond: my response is the punch list for a commercial building is the first phase, the second phase is finishing it so it's ready to receive a Certificate of Occupancy. That's the finish line I'm looking at. The performance deposit isn't returned until then. If you're past the 50% mark at 180 days, there can be an extension of time and your bond can be extended pending approvals to sink tanks that may still be happening. It isn't done when the punch list is done, it's done when it can be reoccupied.

Mr. Novak: understood.

Ms. Moermond: that should be in your timeline as well. I imagine you have a handle on the licensing concerns in broad brushstrokes and the timelines for those. We'll put this in front of the Council 15 days out, but you'll be able to pull permits and get rolling.

**Referred to the City Council due back on 9/25/2019**

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

- 2      **RLH RR 19-17**      Making finding on the appealed nuisance abatement ordered for 1332 DAYTON AVENUE in Council File RLH RR 19-7.

**Sponsors:**      Thao

*Nuisance condition has been abated and the matter resolved.*

*Ms. Moermond: it looks like we have a code compliance on this one, so given that is issued, Mr. Seeger pushed that out on May 14, 2019, we can report that the nuisance condition has been abated and the matter resolved.*

**Referred to the City Council due back on 9/25/2019**

- 3      [SR 19-59](#)      Reviewing request of owner to have Council reconsider its Order to Remove or Repair the Structures at 888 MARYLAND AVENUE EAST.

**Sponsors:**      Busuri

*Layover to LH October 8, 2019 pending potential buyer submitting contractor bids and posting performance deposit by Friday, September 13, 2019.*

*Lester Meltzer, owner, appeared  
Long Hang and wife, buyer, appeared*

*Ms. Moermond: where we left things, we have you buying the building still and putting a restaurant in. In the past weeks there was going to be a conversation on the purchase agreement, performance deposit, and plans for the buildings rehab. How is this developing?*

*Mr. Long: architecture is a little behind, I have a blue print, they will go start pulling permits with approval. The purchase agreement he has.*

*Mr. Meltzer: the purchase agreement, we have it drafted and all it needs is dates filled in, the purchase price is decided on, I gave him a discount because I want to be done. The problem arises that he is somewhat reticent to sign the agreement because that is a large sum of money without assurance he can open the restaurant. Any prudent loan officer wouldn't loan money because there's the order of demolition on it. He's asking for a loan for a property that's scheduled to be torn down at a certain point.*

*Ms. Moermond: the City ordered the building removed because of lack of development plans on it. You went to appeals court and filed an appeal, and brought forth the contract for deed and said you will bring a plan forward, and asked for a stay. We are in the process of considering a stay, it means for a period of time the City won't take action so it can be dealt with. The City won't say the order goes away because Mr. Long came into the game. Often, we see the purchase agreement with the contingency that the City must grant time for the rehab or the purchase agreement is cancelled. That doesn't speak to the financing, both for acquiring the building and doing the finishing and buildout. I'm not sure what bank you're working with, I can tell you that I wouldn't ask the Council to continue a stay unless there was plans in place that would get the building rehabbed, which would be bids, evidence of contracting, and so on. If those pieces are in place, I will recommend time to do that, but I need to know you*

have the ability to carry that out. I don't know where your financing is at to do both the acquisition and fixes, and where your bank is at.

Mr. Long: Town and Credit union, and we did finance for purchasing the building and remodel the restaurant, about \$200,000 extra to get that done. Right now, they're a little behind, I did have three contractors bid on the building, but the architect is behind.

Ms. Moermond: so what do you have today?

Mr. Long: blueprints, and \$5,000 check for performance deposit.

Mr. Magner: Mr. Meltzer currently has a \$5,000 bond in the city attorney's office, and the performance deposit, the city doesn't care whose money it is, so if we move forward we can return Mr. Meltzer's money, or it can be in the contract. We need a commitment from your lender to provide those funds, the lender is the one who has to get over the issue, legally we can't go backwards. If that's something you want to renegotiate in your contract, there's a number of ways it can be done. The bigger issue is you have to satisfy the needs of the city so the court action goes away, otherwise we can just wait for the appeals court decision. You need to ask the hearing officer for more time to get your architectural drawings, contractor bids, and your proof of financing.

Mr. Long: I submitted to the bank last week, they need three months to do the work for a commercial loan. I'm not sure why. Our credit is good and our restaurant is successful, but we don't know what the bank will say. I can contact him again and see, it was submitted last week.

Ms. Moermond: I need an approval. I need to see that money and three months is a long period of time when we started this reconsideration months ago, following the order to remove the building. I'm operating off the calendar which is most of 2019. I know you'd like to see the money before three months has passed, and I would too. You have a performance deposit you're ready to post at 375 Jackson, and you have 3 bids, can you submit those for the record?

Mr. Long: I have them, I just didn't get a chance to print.

Ms. Moermond: you can email them. I'd like to scan the blueprint. Do you have architectural plans beyond that?

Mr. Long: I have the blueprint.

Ms. Moermond: how many seats?

Mr. Long: under 30.

Ms. Moermond: I'm getting under 50. That's important with respect to exiting requirements. Are there contingencies in the purchase agreement?

Mr. Meltzer: there aren't any as it sits right now. I'd prefer a clean sale. If I have to put them in I can.

Ms. Moermond: anyone buying the building would want the contingency the sale is cancelled if the city moves forward with demolition. Mr. Long feels like you have a lot of

what you need ready to go. What are the ranges for the bids?

Mr. Long: \$175,000 up to \$250,000 to remodel the whole thing.

Ms. Moermond: any concerns about a one-month layover?

Mr. Magner: it would be appropriate to give the applicant time to get the documents so we can make an informed decision, it would be great for the neighborhood to have a business at this site.

Ms. Moermond: get us the contractor bids, post the performance deposit this week by Friday, and I'll give a one-month layover for you to work with the bank. For Council I need the performance deposit, a work plan/scope of work, and then the proof of financing, and a copy of the purchase agreement.

**Laid Over to the Legislative Hearings due back on 10/8/2019**

## 11:00 a.m. Hearings

### Summary Abatement Orders

- 4 [RLH SAO 19-47](#) Making finding on the appealed nuisance abatement ordered for 1122 JACKSON STREET in Council File RLH SAO 19-44.

**Sponsors:** Brendmoen

*Boiler and electrical must be removed from temporary greenhouse structure by October 1, 2019. Grant until May 15, 2020 for new garage construction and all accessory structures removed. Making finding resolutions will be October 8, 2019 LH, PH October 16, 2019. Second making finding resolution LH May 19, 2020, PH May 27, 2020.*

*Patrick Kelly, attorney at Kelly and Lemmons, appeared  
Roger Stadler, owner, appeared.*

*Ms. Moermond: this is an old case, we had orders on the temporary structures in the yard, and waiting for a decision from the state of MN and making sure we were acting consistently with them, I recommended that to resolve this we should pull building permits and if we cleared them you'd be good. They told you you didn't need a permit, which was wrong. Unfortunately, it means that we're back in the same place where we couldn't use that to figure out compliance, it dragged everything out longer. I called your attorney to describe what happened and that new orders would be written with more specifics about concerns.*

*Staff report from supervisor Lisa Martin: July 29, 2019 another SA was issued to Roger Stadler at 1122 Jackson, basically regarding to tent on property that is noncompliance with zoning, fire and building codes. Too many structures for site for zoning, building itself needs engineering and mechanical and electrical were done without permits. Compliance date is for August 26, 2019 and the appeal was filed.*

*Ms. Moermond: in the appeal document, questions are asked about the zoning and setbacks, can you share what the setbacks should be?*

*Ms. Martin: I didn't bring the rest of the file with, I thought we were just revisiting. It's a*

4' setback.

*Ms. Moermond: and some structures were on the property line? What is it you would like to do?*

*Mr. Kelly: I appreciate the courtesy extended by the city. I'm going to submit a memorandum from Diane Stadler, owners sister, and the owner has made a statement for the record. Owner has been in contact with Bob Peterson, a garage contractor, and Menards, and would like to go to the city. He's been approaching this in good faith, the other issue is the greenhouse was looked at by a structural engineer, and it's still up and in good shape.*

*Ms. Moermond: we can agree it's still up.*

*Mr. Kelly: I don't think an inspector has been on the property. Not with our permission.*

*Ms. Moermond: it looks like the photographs were taken outside the property looking in.*

*Mr. Kelly: the skid loader is used for clearing the sidewalk, the question was whether it was proper in that zone, here was this year's snow fall and what happens on Jackson the plows come in going 35 mph and they push the snow onto the sidewalk and Roger's property. A snow blower can't handle that.*

*Ms. Moermond: we handled that and it's not in the orders anymore.*

*Mr. Kelly: there is also an updated photo of the greenhouse.*

*Ms. Moermond: the building official didn't agree with the findings of your expert. And I need to rely on him.*

*Mr. Kelly: and he's putting his license on the line. We asked for an objective opinion. And here's the Menards information. It's interesting this is the focus, it's been there 10 or 15 years, it's an attribute to the community. I don't know about the setbacks, that's why I asked. When we went for the building permit, they told him he didn't need it, so we're back to square one. We can disconnect the boiler and electrical if it's a concern. I presume he checked to see if there were permits drawn, Roger had the inspectors aware of the activities and they never stopped him.*

*Ms. Moermond: my concern is that disconnection is easy to reconnect. I'd like to see it removed. We have similar cases where people are sleeping in basements, and the bed and mattress is up against the wall, but you can flip the mattress down, and I need to be cognizant of that.*

*Mr. Stadler: I haven't used the boiler in 15 years. I can remove it.*

*Ms. Martin: the skid steer and enclosure is closest to the fence and not at the 4' setback.*

*Ms. Moermond: do we have the answer about square footage and accessory structures?*

*Mr. Stadler: I can move the skid loader over.*

*Ms. Moermond: you gave me the garage information, what do we want to see?*

*Mr. Kelly: so if you built the garage, what would you do with the skid loader?*

*Mr. Stadler: I'd take it down, and move it into the garage.*

*Ms. Moermond: the greenhouse would come down then?*

*Mr. Stadler: if it makes someone happy, I can take it down, but once the boiler is out it's not really temporary. I could probably move a lot of the tillers and stuff into the garage.*

*Ms. Martin: the garage depends on if you're combining the three lots or not*

*Mr. Stadler: no, it would be on the double lot the house is on.*

*Mr. Kelly: we'd have to work with the building permit, I don't think he wants to combine the third lot he just bought.*

*Ms. Moermond: I have no issues as long as it meets requirements. If you can't, we have to have a further discussion.*

*Mr. Stadler: there's so much work and its hard to get a contractor. I've called two guys, one isn't too familiar with St. Paul. The plan is right from Menards, you put the pieces together like a puzzle, but I have to get a commitment from someone to assemble it. Once it's in motion it's easy enough to get rid of the other stuff, it's easy to plan. I think they're 44' x 110' lots.*

*Ms. Moermond: I am happy with giving a long extension on this but I want to see the electric and boiler pulled from the building. 8 months brings us to the beginning of May, so it gives you the beginning of next construction cycle.*

*Mr. Kelly: if we're pulling the boiler he can do that.*

*Ms. Moermond: lets give three weeks to pull the boiler and electric. Ms. Martin will follow up with you then. The new garage construction means the accessory structures will go.*

*Mr. Stadler: yes, agreed.*

*Ms. Moermond: that brings us to May 15, 2020.*

*Mr. Stadler: is that finished or just arranged?*

*Ms. Moermond: I want it done by then.*

**Referred to the City Council due back on 10/2/2019**

**5 RLH SAO  
19-45**

Making finding on the appealed nuisance abatement ordered for 783 MINNEHAHA AVENUE WEST in Council File RLH SAO 19-41.

Sponsors: Thao

*Nuisance is abated and the matter resolved.*

*Ms. Moermond: is the vehicle still there?*

*Lisa Martin: it is gone*

*Ms. Moermond: nuisance condition abated and matter resolved.*

**Referred to the City Council due back on 9/25/2019**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 6**     [RLH VO 19-34](#)     Appeal of Emily Dziekcrowski to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 904 ARKWRIGHT STREET.
- Sponsors:**     Brendmoen
- Layover to LH September 24, 2019. House must be treated for infestation or vacated by September 19, 2019.*
- Laid Over to the Legislative Hearings due back on 9/24/2019**
- 7**     [RLH VO 19-35](#)     Appeal of Narayan Agrawal to a Notice of Condemnation Unfit for Human Habitation and Order to Vacate at 275 MCKNIGHT ROAD SOUTH. (Legislative Hearing on September 10)
- Sponsors:**     Prince
- Deny the appeal. All remaining businesses operating must be closed by 3:30 September 11, 2019.*
- Omar Jamal, representing the tenants, elder in community, appeared*  
*Mustafa Sheikhhassan, owner of Gas Station, appeared*  
*Hamdi Omar, owner of Gurey Deli, appeared*  
*Kalpesh Patel, Woodbury cleaners, appeared*  
*Chanchal Hindka, Woodbury cleaners, appeared*  
*Oman Sayid, Chili Time Coffee, appeared*
- Ms. Moermond: I had a voicemail from head of Fire Inspections, and she indicated that no permits have been pulled and no forward movement.*
- Staff report from Supervisor James Perucca: we've been keeping in touch with our partners with water and sewer and plumbing, as of an hour ago we have no permits pulled, we also kept in contact with the Departments of Agriculture and Health and they are aware of their components as far as licensing and their jurisdiction. I went out to the property today around 10:30 and did find Mr. Agrawal on site along with a contractor looking over the grounds. I spoke with the contractor from Gopher Underground, who told me they are willing to take on the work. The timeline he gave me is by next Monday September 16 they would have a plan an permits pulled. He gave me a detailed explanation of exterior work from street to property, that needs to be done by permit and reviewed by DSI. As I mentioned nothing has transpired since last week.*
- Ms. Moermond: when last we spoke we said business owners could submit a plan for safe and sanitary operation, which we received one from the liquor store. This was*



*premised on the fact that this was temporary and coming here would spur some action. I'm not seeing that happen, we don't have anyone out there with a concrete solution. The temporary permission to continue to operate the liquor store I will suspend as of 3:30 tomorrow, Wednesday, September 11. I will tell Council this has been going for 6 weeks and it's not acceptable. I'm not hearing that permits are being pulled. What I want to do is allow anyone who wants to speak the opportunity to speak. This will be in front of Council tomorrow, and you may say something that may change that.*

*Mr. Jamal: long term of this is nothing, I was there this morning, so I'm surprised. They told me they weren't interested in doing anything, and now they told Mr. Perucca they would do it. I think this is on purpose to confuse people, and has been going on for six weeks. I think the liquor store should be closed effective immediately, a week has gone by and nothing has happened. He's not here because he's open, not here saying what he's doing.*

*Ms. Moermond: the reason I said tomorrow is because the Council is really the decision maker. I agree it needs to close and that is definitely the recommendation.*

*Mr. Jamal: but your intervention made the liquor store operational, hoping we would have movement. So, use your discretion to close it and put it back the way it was.*

*Ms. Moermond: I understand*

*Mr. Jamal: the City called me this am trying to find a vacant place, the city is giving up on Mr. Agrawal. Marcq called me.*

*Ms. Moermond: Councilmember Prince and I have both talked to staff in PED and the idea being, if this can't get up and running, what are options for the business owners that the City can step in and help, and it looks like relocation is the best the City can do. We provided the staff the list of people who came last week and information on the businesses, so they could reach out and see if they could help. We want to help the businesses without rewarding Mr. Agrawal.*

*Mr. Jamal: they asked me if they had legal representation and relocation. The City may help with money to relocate. They said the businesses can file a lawsuit.*

*Ms. Moermond: earlier this morning I heard a case with a woman with 9 people in the house, a bug problem, the house was foreclosed and will belong to the bank in December, terrible situation. So do I put the family into the hotel to spread the bugs? I need to figure out if I kick her out of the house or do I say you get the narrow period of time to get the exterminator in, and I'll allow you to stay there. The other things are bad options too. Giving a narrow period of time for the sewer to be fixed was what I needed to do, I operate with the hope and expectation that permits would be pulled, that hasn't happened, so I'm pulling the plug.*

*Mr. Jamal: I get it. But pull the plug immediately. Then he knows it's serious. I have to leave, but since last week nothing has happened.*

*Kalpesh Patel (Woodbury cleaner): we are a dry cleaning business, we are processing our clothing elsewhere for \$1,000 a day plus our businesses expenses. We are far west now and locations where we do pickup is far on the east so we can't do our typical 24-hour response. My lawyer has never got a response from Mr. Agrawal, after 3 or 4 notices. I'm selling my business. We have a big loss from this mess, we want to see how we can legally get this done. We want the liquor store shut down today too. What*

*is the point in having one open while six are shut down?*

*Chanchal Hindka, Woodbury cleaners: we are losing employees, they don't want to go and work at a different place because its far from their house, we can't operate the way it is.*

*Mr. Perucca: everyone has been made promises from the building owner. I'd like to think that he is making an attempt to make corrections. I would hold judgment on when I see permits pulled and action submitted for review.*

*Mustafa Sheikhhassan (gas station and meat counter): I owned this business for 11 years, I almost lost the whole business, valued at \$700,000. I live in Maplewood with my two boys and wife. Losing the business is hard on my family, this was the work of my whole life. I worked every day, now I don't know how I will spend my time. There was a public and neighborhood aspect to this. We want to be productive, my wife needs more and now I tell her everything is uncertain, but it doesn't mean we can't enjoy today. The foundation of our life has fell out. Being home has been great with the kids, when I'm home with my son he asks me when I will open the store. I can't answer that now. I am going to become an Uber driver, my wife cried when I told her. We have to find the money to pay the utilities. I graduated in accounting, and now I'll be an Uber driver. We want the City to do something for us. I can't sit around wishing the business could reopen. Relocating would cost us a lot of money. I had to take a loan from my brother to pay my bills. People go visit and see the condemned sign, we feel shame. Mr. Agrawal doesn't feel empathy and realize people are losing their businesses. We are losing \$200,000 in sales. I call him every morning. He says someone will be there 10 o'clock and asks me to open, and every day it's the same thing.*

*Ms. Moermond: it's important to note that once businesses can reopen, it still takes time to rebuild the business and customer base.*

*Mr. Patel: we have over half a million dollars worth of equipment sitting there. The manager contacted us this morning and says he's leaving. We have a half a million dollar lien on Ms. Hindka's house, she may lose her home. We need the City's help to go after him. My insurance company has raised their hand and said they don't care, we talked to his insurance company, they couldn't talk to us since they were his. We still have bills and payments. We aren't millionaires like him. What should we do and where should we go, where should we look for help? We need help from the City, he won't even come here and listen to us.*

*Ms. Moermond: understood.*

*Hamdi Omar: as a lawyer said this isn't just a business to us, there's a lot of family's depending on us. He's not showing good moral character, he doesn't even show up here, he doesn't have respect for us. We would like the City's help, and if this works out and we can reopen I feel like this would happen again. It won't be the last time.*

*Oman Sayid (Chili Time coffee): I have been there 14 years, I never thought we'd go through this. I heard last week when you were here you asked him if he's the owner, and he said yes. My concern is, does he make the decisions? We've seen a lot of contractors come and go. We never know what he's saying is true or not. I spoke to him a month ago, and said what is your plan? And he said just be patient. I am hearing other tenants, even as recent as yesterday, saying someone is starting work on Wednesday. Then within the hour he says someone is coming to look. The question is can you help us to find if he's the real owner of the building. Because there's no way if*

*he's the real owner that he is taking six weeks to fix the building.*

*Ms. Moermond: I asked him at the last hearing, specifically, because it's an LLC, and he said he was the exclusive owner. We haven't done any title search or deeper investigation.*

*Mr. Sayid: I brought it up because he cannot make decisions. If my car broke today, I have to fix it myself. If he's the owner, he can't wait two months for the City to enforce it to fix it. If he said one word today, then tomorrow I can't believe it. We are losing our money every day. Even if he fixes it today, the problem might come back. This morning someone was there, but they might not come back tomorrow.*

*Ms. Moermond: in terms of the City's authority, the City has to make decisions about whether a location is safe to operate in the building, and a lack of sewer and water makes it unsafe, and that's the City's primary responsibility. They are the most basic facilities, if those aren't present it's the City's responsibility to close it down. I wish they had done so earlier, but here we are. The City won't allow it to reopen until the problems have been addresses. That means the sewer is repaired and connected under permit and making sure the water is restored. Those two things mean the building can reopen. If the City takes action faster or slower does it hinder your issues with the building owner? I have to focus on those two things. I do want your concerns on the record. Planning and Economic Development has reached out to some of you. That is the only other venue we have to help. Closing it down, permits to reopen and any business assistance available. Mr. Ekobena, who was here last week, said the City can help finance repairs from the wall of building and sewer in the street, over 20 years. We can help things move along that way too.*

*Mr. Sayid: so when you said the City can finance the business loss, how does that work?*

*Ms. Moermond: you need to talk to Beth Ullrich at 651-266-6689. In terms of business assistance, I would turn to her first. I understand Marcq Sung has reached out to Mr. Jamal. Those staff are all aware of this and are willing to do whatever they can, but I don't know what those tools are.*

*Mr. Sayid: we have a hearing before City Council tomorrow, if there's no progress, where do we go next.*

*Ms. Moermond: the City Council will get a staff report, and they have already had the written record of what people have submitted and said here, and I will say the owner is unable or unwilling to rectify the sewer and water problems. I don't have faith this will be addressed in a timely fashion, because it hasn't been in six weeks, for that reason I recommend to deny Mr. Agrawal's appeal. Part of denying that means the liquor store must be closed at the same time. If he has a building permit applied for, I'll say great, until its ended the building needs to be closed down. They will listen to anyone who wants to speak about my recommendation. Traditionally they look to the Councilmember who's area this is in, in this case this is Prince, she will make a motion about my recommendation. I would be surprised if they continue this matter, but they have the authority to do so.*

*Ms. Omar: I want to know if the fact he didn't show up today, will that be brought up tomorrow?*

*Ms. Moermond: I think that speaks for itself, it will be on the record he's not here.*

*Mr. Sheikhhassan: Abdi emailed and said that someone else is the President of the LLC.*

*Ms. Moermond: we'll make sure that's on the record.*

**Referred to the City Council due back on 9/11/2019**

- 8      [SR 19-97](#)      Request Review of Council File RLH VO 19-19 adopted on June 12, 2019 for Appeal of Judith Hoelzel to a Fire Certificate of Occupancy Revocation and Order to Vacate at 528-530 ORANGE AVENUE WEST.

**Sponsors:**      Brendmoen

*Deny the appeal and refer to Vacant Building program, but allow permits to be pulled. Waive VB fee for 90 days. PH September 25, 2019.*

**Received and Filed**

### 1:30 p.m. Hearings

#### Fire Certificates of Occupancy

- 9      **RLH FCO  
19-90**      Appeal of Steven Lauber to a Fire Inspection Correction Notice at 886 PAYNE AVENUE.

**Sponsors:**      Busuri

*Grant until June 1, 2020 to complete exterior painting.*

**Referred to the City Council due back on 10/9/2019**

- 10      **RLH FCO  
19-91**      Appeal of Melissa Dessart to a Fire Inspection Correction Notice at 218 SEVENTH STREET EAST.

**Sponsors:**      Noecker

*Deny appeal on current dumpster location. (In order to come into compliance, dumpster will be relocated to be adjacent to recycling container at a 90 degree angle to wall and a no parking sign to be installed facing corner area including egress doors from 2 buildings.)*

**Referred to the City Council due back on 10/9/2019**

#### Staff Reports

- 11      [SR 19-93](#)      Request additional extension to an Appeal of Alan Roers (representing David Wetherill) to a Fire Inspection Correction Notice at 602 LAWSON AVENUE WEST.

**Sponsors:**      Brendmoen

*Grant to January 1, 2020 for zoning approval or discontinue commercial use of property.*

## Received and Filed

**2:30 p.m. Hearings****Vacant Building Registrations**

- 12**    [RLH VBR 19-56](#)    Appeal of Alexander Hayday to a Vacant Building Registration Notice at 531 CURFEW STREET.
- Sponsors:        Jalali Nelson
- Withdrawn.*
- Referred to the City Council due back on 9/25/2019**
- 13**    **RLH VBR  
19-58**        Appeal of Tom Gergen, TR Group LLC, to a Vacant Building Registration Notice at 505 FOREST STREET.
- Sponsors:        Prince
- Grant 90 day waiver on VB fee. Permits must be finalized and C of O reinstated by October 1, 2020 or the property must be vacated.*
- Referred to the City Council due back on 9/25/2019**
- 14**    **RLH VBR  
19-59**        Appeal of Thang Nguyen to a Vacant Building Registration Notice at 1032 SIXTH STREET EAST.
- Sponsors:        Prince
- Waive the VB fee for 90 days and make a Cat 1 VB. If C of O is not reinstated within 30 days, make a Cat 2 VB. Basement and SE bedroom locks must be removed.*
- Referred to the City Council due back on 9/25/2019**
- 15**    [RLH VBR 19-55](#)    Appeal of Angel Lawrence to a Vacant Building Registration Notice at 342 THOMAS AVENUE.
- Sponsors:        Thao
- Waive VB fee for 90 days and allow permits to be pulled. Layover to LH October 22, 2019 for staff report on VB status.*
- Laid Over to the Legislative Hearings due back on 10/22/2019**