



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

Tuesday, April 28, 2020

9:00 AM

Via Telephone

9:00 a.m. Hearings

Remove/Repair Orders

- 1 [RLH RR 20-13](#) Ordering the rehabilitation or razing and removal of the structures at 134 ELIZABETH STREET EAST within fifteen (15) days after the April 8, 2020 City Council public hearing. (To be referred back to Legislative Hearing on April 21)

Sponsors: Noecker

Layover to LH May 26, 2020 at 9 AM. Property must be cleaned and ready for code compliance inspection by May 18, 2020, a lock box and functioning door with access to the property must be installed.

Charnelle Hudson, owner, appeared via phone

Moermond: we did hear from Mr. Bednarski that he's no longer involved in the project, is that your understanding?

Hudson: yes, it is.

Staff report by Supervisor Joe Yannarely: March 13 a letter went out that said a code compliance, performance deposit, which was posted April 27, and a lock box needed to be at the property. There was a work order issued on the property for removing numerous tires in yard, probably a dumping issue. I don't see any code compliance ordered.

Hudson: I had a car and tires removed. I did receive those statements saying they would go ahead and use the old code compliance to come out. I've been communicating with Nathan, and I explained to him that my roommate tested positive for Covid, and I'm showing symptoms. We haven't gotten a lock box because we were trying to pick up the trash left behind so the inspectors can actually go in. I need some more time to do that. I wanted to make sure no one was getting sick too.

Moermond: we talked way back in March. This place has been in bad shape for months and years, we find ourselves here. We definitely can talk timing with Covid crisis, but what exactly is your plan right now?

Hudson: get the inspectors in and see where we are at. I would get a contractor out there, the one I had was asking for money beforehand, and I explained to him I didn't want to do that before the code compliance. I wanted inspectors in before I signed a contract.

Moermond: you're going to fix this place, that's the goal?

Hudson: yes ma'am.

Moermond: right now the City is estimating the cost at excess of \$50,000, have you got plans for financing?

Hudson: I'm taking a loan on my property, and I also have my own savings.

Moermond: on what property? This one?

Hudson: yes.

Moermond: are you sure? Usually banks don't give out loans on properties with pending demolition orders.

Hudson: yes, and I don't think it will be anywhere near that high. The contractor I had didn't think it would be that high, but we need the inspectors to come out.

Moermond: I'm familiar with the house and I think your house is going to be a lot higher than what he said, I think he was trying to downplay the severity and costs. As you're thinking through all this, I want you to be aware you will need a financial source to finance this and anticipating you'll need at least \$50,000. It would be a surprise if I you didn't have to spend that much. No one is going to give you an equity loan on this property. I would actively start talking to people who have resources if you don't, about how to accomplish this. That's going to be a hard conversation, if you get bids of \$75,000, are you still talking about fixing or are you talking about demolishing and what is your point where the decision goes from one point to the other. If it is a certain amount it may be financially worthwhile, if it is another it may not be, that's almost always the question for people in your position. I'd definitely get a couple contractors to look at it, and you will need the code compliance. What's your plan for getting the house cleaned out, and before the door was boarded and we talked about inspector access last time?

Hudson: what I'm thinking about is having a board with a lock on there. I have a door without handles, so having a door that's secure with a lock box.

Moermond: what kind of time are you looking at here?

Hudson: I would say three weeks at the most.

Moermond; are you going to be working in there for those 3 weeks?

Hudson: I would have everything cleaned out so the inspectors can come in and the contractors too.

Moermond: this is the 28th, I'm going to ask Nathan's team to do their inspection the week of May 18th, that gives you the 3 weeks your looking for and that means that last week right before the hearing on the 26, we'll have a report from him. I'm trying to set

this up so you can get that underway. I can definitely to ask them to set time aside, but you need to get your side taken care of. I know health will play a role in this, so stay in contact with us. We'll send you a letter, the tires being dumped you have to stay on top of property maintenance. I have to stand in front of Council and say you aren't maintaining it, and it doesn't look good in terms of your ability to rehab. You're under a microscope on that. The City did execute a work order on that. We'll send you a letter this week.

Laid Over to the Legislative Hearings due back on 5/26/2020

- 2 [RLH RR 19-23](#) Ordering the rehabilitation or razing and removal of the structures at 1179 SEVENTH STREET EAST within fifteen (15) days after the September 11, 2019 City Council public hearing. (Public hearing continued from September 11)

Sponsors: Yang

Layover to LH May 12, 2020 at 9 am.

Laid Over to the Legislative Hearings due back on 5/12/2020

- 3 [RLH RR 20-22](#) Ordering the rehabilitation or razing and removal of the structures at 678 SNELLING AVENUE NORTH within fifteen (15) days after the May 27, 2020, City Council Public Hearing.

Sponsors: Jalali

Layover to LH May 12, 2020 at 9 am. PH May 27. By May 12 PO must post \$5,000 performance deposit, have team inspection ordered, and property must be maintained.

David Malanga, director of property management, appeared via phone

Moermond: do you work for SG National, LLC? The director of property management?

Malanga: correct.

Staff report by Supervisor Joe Yannarelli: the building is a two-story, wood frame and brick, commercial building on a lot of 8,712 square feet. According to our files, it has been a vacant building since October 5, 2016. The current property owner is SG National, LLC per AMANDA and Ramsey County Property records. On February 5, 2020, 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 12, 2020 with a compliance date of March 13, 2020. 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 \$158,400 on the land and \$282,200 on the building. Real estate taxes are current. The vacant building registration fees were paid by check on September 16, 2019. As of April 27, 2020, a Team Inspection has not been done. As of April 27, 2020, the \$5,000 performance deposit has not been posted. There have been fourteen summary abatement orders since 2016. There have been nine work orders issued for: Garbage/rubbish, Boarding/Securing, Grass/weeds, and Snow/ice. Code Enforcement Officers estimate the cost to repair this structure exceeds \$250,000. The estimated cost to demolish exceeds \$75,000. DSI, Division of Code Enforcement Resolution submitted for consideration orders the property owner to repair or remove this structure within fifteen (15) days; if not the resolution authorizes the

Division of Code Enforcement to demolish and assess the costs to the property.

Moermond: I'm not finding any other interested parties besides SG National, LLC, is that correct Mr. Malanga?

Malanga: to the best of my knowledge, yes.

Moermond: when I hear that staff report, I hear 3.5 years as a vacant building, no inspection done and no performance deposit posted, and the number of times the City has had to issue orders in the last couple of years, and it will be on the more expensive side as terms of rehab or demolition. I'm curious, you would have gotten an order back in February about it being declared a nuisance building, what have the owners decided they are interested in doing?

Malanga: the initial notice we never got in the mail; it was posted on the building. I never got a copy, but once I did, I responded to the deficiencies list and was taken aback by what was on it. The first says lack of electricity, that's incorrect, I pay an electric bill which I provided and the lights are on and work.

Moermond: you're disputing whether this constitutes a nuisance based upon a list developed 3.5 years ago by the Fire Inspector. That's what is embedded in the declaration is an old inspection report.

Malanga: I wasn't aware of that. So they're from an inspection from several years ago? So that may be from prior tenants or prior us getting a hold of it?

Moermond: The utilities appear to have been all shut off back then. I have photos of eviction notices, with respect to the concern about not receiving the notice, there was an effort to serve you with personal service (the corporation), as well as sent first class mail which is what the legal requirement is.

Malanga: I'm not going to argue about that, we have it and we're working on it at this point. I'd like to continue my line of thought, the foundation is solid, the lack of central gas, why would you want gas on in a vacant building anyways?

Moermond: this declaration was made, and it wasn't appealed. I'm looking at the requirement you get a code compliance inspection, that report would create the list of things that needed to be done before it could be reoccupied. All the city is doing is calling a question on the existence of the building, is what they're doing with this letter. Are you going to fix it or remove it? Belaboring the point of the bullets isn't useful, we need to know where you want to go from here.

Malanga: we are in negotiations to sell the building and that is the direction we are going. They will assume the responsibility to restore the building to occupiable condition. That's where we're at right now, it is hard for us to make these minor repairs, we're based out of midtown Manhattan.

Moermond: we need to have that buyer in the room and coming forward with the inspection report and a plan to address the problems. If you aren't going to be doing it, and a buyer is, I want to be supportive but I need them to be in the room showing their credentials and scope of work and show they can get the building from where it is now to where it will be usable.

Malanga: that's a long path. We're in negotiations until we finalize the sale, they may

be looking to completely remodel, I don't know what their plans are. They may not have a full scope of work, obviously it is a confidential buyer at this point.

Moermond: I don't care who the buyer is, I just am not sure you are understanding the magnitude of this and the speed at which this order will be processed unless you come with the most basic of conditions being met. It goes to Council May 27. Right now, I have nothing I would normally have to ask for a grant of time. If I'm a buyer I'd want to see that code compliance. I also don't have a \$5,000 performance deposit. It is refundable with interest if the project is rehabbed. Those three pieces are normally what I'd ask for to put in a pin in to get time to include the transaction. What your ability to do those three things? Performance deposit, code compliance and maintaining the property better?

Malanga: I'd have to speak with ownership to see if they want to take that route. I have no intention to make major repairs to the building. We'd do minimum to make it safe for the public, but as far as making it occupiable, I have no intentions of that.

Moermond: I understand you don't want to do that, but whoever wants to buy the building, they're going to have to do it, and in interest of disclosure to them they will need to see that punch list. I need someone showing up with that.

Malanga: that's understood. I just am not ready to tackle an inspection until I know the buyer is finalized. We're pretty close and we will discuss that with them, they are aware of what's going on. I'll speak to the owners to see if we can get the inspection done and go from there. I have no interest in repair, if it's a public hazard we'd do it, but interior wise, even the roof leaking I'm not concerned about at this point. Life safety for the public will be addressed and is a concern. I understand your position, and I'll talk to them about the inspection being done at a minimum. I'll keep you notified.

Moermond: right now, you're scheduled for public hearing May 27. I'm going to lay this over with me to be reheard May 12, at that time I anticipate the team inspection is applied for and the performance deposit has been posted. At that time, we can discuss an extension to finalize the sale or fix the property, but I need to see you have some skin in the game. That's where I'm at right now. I want to work with you, but I can't move on those two points, we require that of everyone who in your shoes. You may want to have a representative of the buyer or a local attorney or someone present for that discussion, but that's for you and your company to consider.

Laid Over to the Legislative Hearings due back on 5/12/2020

10:00 a.m. Hearings

Fire Certificates of Occupancy

- 4 [RLH FCO 20-29](#) Appeal of Richard Thorne to a Fire Inspection Correction Notice at 845 PHALEN BOULEVARD.

Sponsors: Yang

Layover to LH May 19, 2020 at 1:30 p.m for update from staff.

Richard Thorne appeared via phone

Tracy Paino appeared via phone

Nate Postma, owner, appeared via phone

Staff report by Supervisor Leanna Shaff: this is fire safety inspection by Diane Gavin on March 13, 2020. Couple items are being appealed, the spray booth racking areas have some plastic tarping up for a latex spray booth, unfortunately that area is lacking sprinkler coverage, so Gavin has sighted 901.6 of the fire code, the sprinkler system doesn't accurately protect the hazard. The options are to remove the spray booth or install for adequate sprinkler coverage. She also says that several racking areas have storage on top that block sprinkler flow. In talking with her she said that to me it is an open racking system, mesh type thing, and part of the storage piece is they are open like that so if the sprinklers deploy the water can come through and reach each shelf. She said there are boards over the wire shelving that prohibits water if the sprinklers did activate.

Moermond: what you're describing is that in all likelihood after the system was installed, the walls were put in to surround the spray booth to stop overspray, and those walls were put in without calculation for any sprinkler coverage? And that if there are new walls the range of those sprinklers are changed.

Shaff: correct, it will not cover the hazard.

Moermond: that makes sense. I have photographs provided this morning of the area and I don't know if you gentleman have seen them, I know you're familiar with what your business looks like already. By the way, what is your business? A latex spray booth, normally I see oil based auto business.

Postma: we simply spray a sand-filled paint onto plywood panels to simulate a rock-wall texture for climbing panels.

Moermond: so building the climbing wall material, interesting. I did have a chance to read through your materials and you seem to be making a couple of points, one of which this hasn't come up in the past, and we'll let you talk about what you're looking for. Storage of the wood on top of the shelving, is that something easily addressed we can deal with?

Postma: I don't know of any wood, is that true Richard? Is there wood stored up there? I think the pictures depict pallets with boxes on them, foams that are part of the construction surface. I don't recall any wood. The materials that are there have been there for years, we've been in business 27 years and stored the same stuff, the types have been the same, maybe they've been moved around, and never had any problems. Pallet racking storage has been there 16 years at this location, so I'm not sure what would be referred to.

Thorne: there might be one or two shelves with wood, most of it is on pallets. The wood can be removed if we know what they're talking about, but it wasn't something discussed during the vision.

Shaff: Inspector Gavin said there are two racking areas with boards over the shelving. Sounds like the last gentleman speaking knew where that was.

Postma: there's wood in the pallets themselves.

Moermond: when I look at this, more than the descriptor, I'm concerned more with whether or not this impacts sprinkler coverage to make sure water is flowing the area it is supposed to be. That's going to be having to do with openness of the shelves as

well as height. I didn't hear any concern about height. I think looking at the storage it could be a matter of rearranging things. Mr. Thorne you mentioned that as possibility?

Postma: I think so. I don't know of a specifically blocked shelf, but there's a lot back there. I'd be willing to move anything if I knew what needed to be moved. It is quite a ways down from the ceiling, anything that sprays from the sprinkler head is going to go horizontally. It is no more or less blockage than any company's storage on any pallet racking in any facility. It is all miscellaneous stuff in random shapes, unless it's a pallet of boxes with shrink wrap but even then it is 12-15 feet from sprinkler heads.

Moermond: as much as I appreciate your insight into the sprinkler coverage, we do have a difference of opinion and I need to lean towards a sprinkler expert, and I'd like to get one in the site so we can talk more specifically about things that could be addressed and have better information. Is that acceptable?

Postma: that's absolutely acceptable, in the past what has happened, when the inspector was there, they would interact with my employees and if there were needs they were discussed at the time. This is the first time in 16 years where the inspector left, didn't point out or discuss the concerns, and they showed up on a report later.

Moermond: I am unpacking that and hearing that you took some umbrage in a letter that wasn't discussed in person and I get that, normally they are discussed or mentioned in person and everyone leaves with the same understanding. I'm also hearing this is a new order that hasn't been called out in the past and therefore you don't know this is even a valid order because it hasn't been called out in the past. It is a code violation; you aren't grandfathered in because it wasn't called out in the past. Now, I need to figure out if we can sculpt a solution that meets your circumstance and make it as least impactful on the way you do business. So let's get a fresh set of eyes on it and who will talk with you on site.

Thorne: Ms. Shaff, on more than one occasion there's been no calculation about the plastic wall, that's actually not true, that was directed three years ago by the inspector at that time. It is fire rated poly for that purpose, what was actually put there was directed by the city.

Postma: this goes back 16 years, what happened is they were spraying the panels without poly up, it was a mess. They felt the need to tip the board more upright because of the hopper they were using, they were leaning the boards against the wall so they decided to hang the board so it was more vertical, and there was some overspray. This was at least 13 years ago, they decided to put poly up, this was apparently not fire rated, Fire Marshall said we had to do it this way not that, so we did it. It went through year after year of inspections after doing it that way by representatives of St. Paul. I understand you have your interpretation of what this is, we've had 16 sets of eyes on it and 15 have seen it one way, so maybe it's a matter of interpretation.

Moermond: this is not a subjective matter, this is an objective, measurable thing. What I'd like to do, and I'm not putting down on either side, I want another opinion of an expert to look at it and give you a heads up that if it has been wrong in the past it cannot continue to be. You're saying a lot of eyes have looked at it and therefore it is probably right, I hear that, unfortunately it does happen from time to time. I also don't have any sprinkler schematics in front of me which I would love to have.

Postma: we aren't going to be spending the money to bring additional sprinkler heads

into the area, we've had to do that in the past and it was prohibitively expensive due to the nature of the building and the alarm and sprinkler system. We've been through that on the other side of the wall. If it can't continue the way it is due to the new interpretation, then we'll just going to take it down. I want that on the record, we'll just spray and direct it at an angle so we have a minimal amount of overspray. The poly was just up to avoid the mess, we can always lay it on the ground with a different type of gun.

Moermond: Mr. Perucca is really good at looking at alternative means of compliance, so I'd like him to make an informed decision about what can address the issue, and the shelving and provide his own assessment.

Postma: who is Mr. Perucca.

Moermond: he's the supervisor for commercial fire inspections for the City of St. Paul. He's the boss of whoever went out there and whoever has gone in the past.

Postma: I'm going to want all of this in writing so when this comes up again next year we can provide the paperwork providing the history. I'm disappointed we can't do that as effectively as we would like to now. I'm moving into retirement, so I want management staff to have that for the future.

Moermond: by virtue of appealing to City Council the response to your appeal will be in a resolution with attachments including minutes and orders. We'll send you a letter saying we're laying this over 3 week to give you and Mr. Perucca a chance to schedule a time.

Laid Over to the Legislative Hearings due back on 5/19/2020

5 [SR 20-37](#)

Review Appeal of Carrie Nelson to a Vacant Building Registration Notice at 291 STINSON STREET.

Sponsors: Thao

Grant to May 19, 2020 for property owner to send in receipt of licensed electrician capping exposed wiring. Grant additional extension for items with a completion deadline of April 17 to June 15, 2020.

Carrie Nelson, occupant, appeared via phone

Moermond: my understanding is the April 17 deadline wasn't met for all of the items covered in our previous hearing.

Staff report by Supervisor Leanna Shaff: Inspector Franquiz was there on the April 17, there were some items that were expected to be done, the front entry storm door was fixed, item five, but there was a newly discovered room that the door rubs on the ground, item 6 was fixed but fixture in kitchen was missing a cover, grounding jumper cable was done, the extension cords in the basement. He found on item 11, the new handrail is improperly installed, it is not grippable. Item 12, there are still treads that are loose and damaged on the basement stairs and item 19, still exposed wiring on the second floor.

Moermond: we went through a big process of it being condemned, putting in working able deadlines, this is now the third set of deadlines. In the normal course of action, it would lead to the certificate being revoked for administrative reasons. In this time of

Covid I don't want to displace you for administrative reasons. But I do want to talk to you about where you're at to get this fixed. Is your brother able to help, is Mr. Saddleblanket available again?

Nelson: my brother can help, Elliot did help and did most of the repairs. Did you get the pictures I sent this morning?

Moermond: yes.

Nelson: The reason the stuff isn't getting done is how and what needs to be done and be done right. I asked Franquiz we what we weren't passing on and why, so I repaired the carpet for the door so it freely opens and shuts, we had replaced the broken tread but apparently there was another one we didn't know about, so that was replaced. We put a cover on the kitchen in the light. We didn't do much with the exposed wires upstairs, they aren't live, they're from a gutted bathroom, so can we just put a cover on there? That's the only thing.

Moermond: I'm trying to picture how you have exposed wires that aren't live? Are they no longer connected to the electrical of the house?

Nelson: yes, the bathroom is completely gutted, there's not even a floor. The wiring has been abandoned; we'd have to have it redone by an electrician.

Moermond: what's your ability to cap those wires?

Nelson: Elliot can do that, but he wasn't sure if that was allowed.

Shaff: as a homeowner, it is allowed. How do we know they're not live?

Moermond: could it be a circuit breaker off, yes, but no matter what they need to be capped. As renters Ms. Shaff is saying maybe you need an electrician to do it, it will be inexpensive, but it won't be free.

Nelson: ok. Additionally, I want to go over with an inspector to make sure the list for the next deadline, it is not that we're not trying to not get it done, I think we misunderstand what needs to be done. I want to make sure what ones he's talking about.

Moermond: how about the broken ones?

Nelson: we did fix all the broken ones.

Moermond: you said you missed some.

Nelson: we missed one, and we didn't realize it until he stood on it and it wiggles. That one he said was not done, we've done that. We need more boards for the rest of them.

Shaff: it was quite clear all of this was covered in the hearing room, when we do an inspection, we expect it to be done.

Nelson: we had no idea, and I'm willing to pay a reinspection fee. The cover, the light, it is a fluorescent work light, I thought that was acceptable as is. He said at the time the stuff around it needed to be removed, he didn't say anything about covering. Things like this are not in the notes, that's why I want to go over it. It says fix the flooring in

the next set of orders, we think it is just the kitchen, I'd like to go over more detail and I don't want to keep having inspections either.

Moermond: honestly Ms. Nelson I feel like we've talked this to death. I'm feeling like the circumstances that have changed have changed over time because the house has deteriorated. Did the inspector clarify for you what needed to be addressed from the April 17 list? Do you have a good handle on that?

Nelson: I think so, because when he came and told me what wasn't going to pass, we've now completed those.

Moermond: let's talk, the next list. On the first and second floor the ceilings have large openings, cracks and peeling paints. Are you clear on that?

Nelson: yes, we're going to sheetrock and take all the plaster down.

Shaff: and you know you need to know 5/8" fire rated sheetrock?

Nelson: no, that's stuff I don't know, that's why I want to go over it.

Moermond: the thing is, the City isn't going to be responsible for designing the solution. You as the future owner would need to be responsible for figuring that out. If there's a problem with the ceiling, it's a duplex so it has to have an adequate fire separation between the two units. The City won't design it. The City can't be your project manager on these things. You don't have a ton of experience, I get that, but this sort of thing needs to be dealt with, the City's job is to figure out whether it is code compliant. We're looking at the 90 day list, repair and maintain the floor in an approved matter, what does that mean in general?

Nelson: I'm fine with researching the requirements, I just want to make sure the floor, I want to know what he's talking about, every single room? I believe it is the kitchen floor, it is rotted in front of the kitchen sink.

Moermond: it says interior floors, it sounds like you have identified an area in the kitchen but would be well advised that all the floors inside meets code.

Shaff: there's not always just one way to fix things. If we were all going to Duluth today, and meeting at 8 pm, we could all take different routes, the goal is to be there at 8 pm. Same thing with the floor, it is up to you how you want that to be, there are different ways to comply.

Nelson: absolutely, I think I know what area, but then he says it is this too.

Shaff: walk all the floors, look for torn or frayed carpeting, cracked tiles, spongy floors. The codes are minimum and our expectation is you give us that minimum and look at all those things.

Moermond: the next round of items are almost all building items, ceilings, floors, walls, so taking those together we've got a plan, you're just going to have to look at all the rooms and those items in them. You'll need to deal with capping the wire, if you could hire an electrician to do that and send the receipt in, then that will address that as far as I'm concerned and save the inspection time and we can move forward with the next set of deadlines in July. All the things in the last inspection will be confirmed in July as well as the July items. Within 3 weeks you'll send a receipt into my office that you've

had an electrician out, and we'll have an inspector check on the April 17 list on June 15.

Nelson: I had written down on the June 15 list is the electrical panel in the basement, how the wires are exposed and we're missing the cover. I had stated in my proposal, if it is just the cover I'd have it done by the 15 but if it was the whole box I'd like to move it to the September deadline for the water heater. We've purchased something for that but we haven't tried it yet, so if it is wrong I don't want to try and pass it off, I want to do it right, so what happens that?

Moermond: I've already entertained a lot of extensions, I'm not going to do more. The deadline is going to stick. You can maybe consult with that electrician and get a cost estimate at that time.

Received and Filed

10:30 a.m. Hearings

Vacant Building Registrations

6 **RLH VBR** Appeal of Thinh Pham to a Vacant Building Registration Fee Warning **20-27** Letter at 624 STATE STREET.

Sponsors: Noecker

Deny the appeal, allow permits to be pulled.

Thinh Pham, owner, appeared via phone

Staff report by Matt Dornfeld: made a Category 1 vacant building in January 2020. It was simply a referral from code enforcement who found it to be vacant with some minor code violations. We opened up a Category 1 vacant building at that time, inspector Reid Soley recommended a 90 day waiver after talking with the property owner or manager. He couldn't remember who he spoke with, I talked with him this morning about it. A 90 day waiver was put in place, rehab looks like it is going great, all the permits are on file, I'm guessing we're discussing the vacant building fee.

Moermond: where are you at with the rehab? You mentioned things are slow because of Covid?

Pham: yeah, we had plans in place for the 3 month project and I guess originally I misunderstood. Reid Soley had spoken to the broker, we didn't close until January 27, so he had emailed the broker that was responsible early January, so I misunderstood when the 90 days started. Things are moving, we have plumbing rough in electrical, heating, is all inspected and pass, we're just trying to finish up over the next six weeks with framing inspection and other final things. With Covid I've had trouble with the original contractor due to staffing issues, and being able to find new contractors has been rough. We had two or three weeks in limbo. I was hoping to get an extension on the waiver for the property.

Moermond: this went into the vacant building program January 7, which means we are three and a half months in right now. I'd like to set you up to get your fee prorated in the future. I'm not going to give another waiver at this point, I'd rather do a discount at a later point. You did already get a complete waiver. I think you'll end up paying some,

but the faster you finish the less you pay. I'll recommend the Council deny your appeal, but I'll make sure Mr. Dornfeld notes that permits can still be pulled and get inspections done. The vacant building fee will be processed as an assessment, that is appealable and you should do that and I can trim it down to size.

Referred to the City Council due back on 5/13/2020

10:45 a.m. Hearings

Vacant Building Registrations

- 7 [RLH VBR 20-30](#) Appeal of Shona Jackson to a Vacant Building Registration Requirement at 896 YORK AVENUE.

Sponsors: Yang

Layover to LH May 5, 2020 at 2:30 pm for further discussion.

Shona Jackson appeared via phone

Staff report by Matt Dornfeld: DSI received a vacant building registration form and the fee on April 21, 2020, stating the house was vacant and they sent us that information to register the home as a vacant building. WE followed up the same day, and Inspector Hoffman found the house to be vacant and secure, a few minor code violations and opened a Category 1 vacant building. We have since cashed that vacant building fee check.

Jackson: at this time the house is not vacant, or abandoned, it is on the market for sale, someone has been at the house every day.

Moermond: is someone living there?

Jackson: yes.

Moermond: who?

Jackson: yes, someone is living there. Just because the neighborhood, we knew someone needed to be staying there, we didn't want it broken into.

Moermond: for staff, do you have contact information for who?

Jackson: Jimmy Mickus. He's staying at the property until we get it sold. 612-419-8470 is his number. I did also have some other concerns I wanted to address. According to the legislative code, for it to be considered vacant it needs to be unsecured or secured by other than normal means. It was secured, and it was normal means, the door is locked with a lock box. It isn't a dangerous structure, it isn't condemned, and there wasn't large code violations. It isn't being illegally occupied.

Moermond: I'm familiar with that code, what we had was the owner of the property, who listed themselves as Safeguard properties, came forward and said it was a vacant building. Regardless of the outcome, when the City determined it was a Category 1, it means it is turnkey and no code violations need to be addressed to be reoccupied.

Jackson: it wasn't being abandoned, it's the category of it being vacant. The property is in foreclosure so when you move that status that means instead of being there a six

month redemption on the property it pushes it up to five weeks.

Moermond: you should have an attorney advise you, but shortening of a redemption time period doesn't have to do with whether someone is living there or not, it has to do with the condition of the property. I'm going to have staff follow up right away with Jimmy Mickus, so we can get you out of the program sooner rather than later. We also need to follow up with Safeguard since they're saying they own it and that it is vacant. We have some conflicting information. When does the redemption period expire?
Jackson: June 15.

Moermond: we'll look at this again next Tuesday, we should be able to close the book then.

Laid Over to the Legislative Hearings due back on 5/5/2020