



# 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*  
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*651-266-8585*

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Tuesday, July 21, 2020

9:00 AM

Via Telephone

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

##### Special Tax Assessments

- 1 [RLH TA 20-279](#) Ratifying the Appealed Special Tax Assessment for property at 644 OLIVE STREET (AKA 640 OLIVE STREET). (File No. J2015A, Assessment No. 208515) (To be referred back to Legislative Hearing on July 21, 2020)

Sponsors: Noecker

*Laid over to October 20, 2020*

*644 Olive Street*

*Ben Guinee is on the phone line.*

*Marcia Moermond: I'm calling you about the cleanup assessment again. I've looked at the video...*

*Guinee: I sent Mai an e-mail this morning.*

*Moermond: You said you really want to resolve this and this is an ongoing problem and you are cancelling Tuesday morning meetings.*

*Guinee: I proposed a resolution.*

*Moermond: (Read e-mail) "I propose that the city send me documentation that the charge for cleanup which is being attached to our tax bill amounting to \$662.00 to resolve this problem....that's the only fair and just manner in which this can be resolved. Further, there will be the effort required to clean up the mess that's been created from the current encampment which, I believe, again is the city's responsibility." You think it's the City's responsibility. You are looking for documentation, and I'm not sure what you mean.*

*Guinee: There is a charge for the cleanup. It is not my responsibility. Mai Vang sent me paperwork about planning for John Street. The encampment is beyond the end of John Street. It is prairie. I should not be responsible for cleaning up the prairie or removing the homeless. The reality is there is an encampment with 4 more tents.*

*There is debris. They have no way of disposing of their debris. We have a \$600 tax bill. That is not fair or just. If they relocate these people, there will be a cleanup again.*

*Moermond: I have 2 basic messages: 1) Looking at the property line, you have a responsibility, 2) I am working on meeting with a number of departments because there is a trail there—Public Works, Parks & recreation, Planning and Economic Development, City Attorney's Office, Finance—to look at that neighborhood and look at a larger solution. There is a lot of right-of-way there to deal with. We're trying to come up with a solution. If I can come up with something moving forward, I can have an argument for deleting that tax assessment because there are people in similar situations as you. The Mayor has requested that for all nuisance abatement assessments, he doesn't want Council to ratify those because of COVID. He asked Council to not consider them until 2021. The rest of the cases on your assessment role are going to be heard in 2021. You won't have an assessment for a long time. I am frustrated that it is moving slowly. I think we can do better. It is the best I can do right now. I am looking for a solution for the area and not just your property.*

*Guinee: I'm not suggesting you're not doing your job. I am not placing responsibility on you. This is a community problem. It is in Saint Paul and Minneapolis. I accept the fact that the Mayor does not want this to be a factor in 2020. That doesn't resolve the problem. I think that you too are trying to get this problem resolved. Not just deferring it, but getting it resolved. Is that fair?*

*Moermond: Yes. That's fair. I can easily cut it in half. If I can come up with a solution for the area, I think I can remove it entirely. I'm feeling pressure that you are continuing to have issues related to homeless encampments.*

*Guinee: It is a mess. They've got stuff hanging on my fence. They've thrown trash over the fence. I am a landlord. I have other tenants. I have had one tenant already complaining about this. It's not just me. It's me manifested by the tenants in the building. I'm trying to lease a vacant space right now. It's a huge problem. I believe you are doing the best you can to get this resolved. Let's just play it out.*

*Moermond: Are there owners in the area who would be interested in a conversation about that area?*

*Guinee: Absolutely. I've had conversations with the carpenters union. Our neighbor to the north is interested. It is a problem for them too. I worked with the City to get an adjustment to move the fence 3 feet outside the property line. I got a survey. The City gave me an easement. I worked with the union to contact my fence to their fence. Lo and behold the fence has been cut with bolt cutters so they could get through there without walking around. This problem has been an ongoing issue involving some destruction.*

*Moermond: I would like to see something happen in 2020. There needs to be another meeting of the owners in that area. I know the carpenters union is interested in working on this. We'll pull you in and other owners.*

*Guinee: I'm sure the Union Gospel Mission, too. There are tents on my property and there are tents on their property.*

*Moermond: They need to be at the table as well. Should we touch base in 90 days. Hopefully, you have heard from City staff by then.*

Guinee: October 21? In the meantime, what if any is the City trying to do to move those tents that you're aware of?

Moermond: I'm not the right person to ask about day to day policy. I hate to hazard a guess about strategy. It would just be a guess. We'll send you an e-mail to confirm.

Guinee: Thank you. I appreciate your help.

Moermond: Laid over to October 20.

**Laid Over to the Legislative Hearings due back on 10/20/2020**

- 2 RLH TA 20-332** Ratifying the Appealed Special Tax Assessment for property at 1832 YORK AVENUE. (File No. J2017A, Assessment No. 208529) (Legislative Hearing on July 7)

**Sponsors:** Yang

*Approve the assessment; unable to reach owner.*

1832 York Avenue

*Mai Vang: No response. No contact information to call.*

*Marcia Moermond: We are recommending approval.*

**Referred to the City Council**

- 3 RLH TA 20-460** Ratifying the Appealed Special Tax Assessment for property at 1319 BAYARD AVENUE. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Tolbert

*Delete the assessment.*

1319 Bayard

*Joe Yannarely: We're going to delete. No summary abatement order was sent.*

*Marcia Moermond: So recommended.*

**Referred to the City Council due back on 3/17/2021**

- RLH TA 20-463** Ratifying the Appealed Special Tax Assessment for property at 1008 CARROLL AVENUE. (File No. J2021A, Assessment No. 208537)

**Sponsors:** Thao

*Approve and spread payments over 3 years but if no same or similar violation(s) will reduce from \$544 to \$344 and spread over 3 years.*

1008 Carroll Avenue - 2nd try

*Lisa West, tenant, is on the phone line.*

*Lisa Martin: There was a summary abatement order issued on 3/26/20 to occupant and Edward Owens at 1008 Carroll Avenue and David Goodlow at 681 Aurora. Door, wood pieces, trash, compliance date of April 2, work done on April 6, no mail returned, no history, total \$544.*

*Marcia Moermond: I will look at the video of the cleanup and then we'll talk.*

*(before and after videos shown)*

*Moermond: Seeing the items, door, scrap wood, broken chair, mattress, bags. All appear to be there when the crew showed up on April. After video, shows the area was cleaned up of all those items. What's going on? Why are you appealing? Sounds like you're a tenant.*

*West: I was talking about the whole property itself. You're talking about just the ticket. They did come here. By the time I got here, I thought the landlord picked it up when the doors were replaced. I'm asking what is the cost of it and the penalty of it.*

*Moermond: The landlord is saying you're responsible?*

*West: Yes, I'm the one taking care of the property and paying for it. Can I make a payment plan or something? I'm not fully back to work yet.*

*Moermond: I'm looking at a total of \$544. I'm going to ask staff. This looks like it goes before City Council next year. The Mayor asked all cleanup assessments to not get voted on until next year because of COVID. I'm going to say that it gets divided over 3 years. If you don't have any other violations, I'll knock \$200 off it in 2021. Right now, if you can take care of the property until May 21, 2021, it will go down to \$344 and payments will be over 3 years. You will get an invoice in May 2021, which will be about \$120. I can't get rid of it entirely, but I can make it painless.*

*West: Would I pay for it every month?*

*Moermond: It will be on the landlord's tax bill. He will not get a tax bill until next year.*

*West: May 2021?*

*Moermond: Yes. That will be the first tax bill and if things go well, it will be lower. Do we have an e-mail for you?*

*West: (said e-mail address)*

*Moermond: We will send a letter to you and the landlord confirming this.*

**Referred to the City Council due back on 5/19/2021**

## 10:00 a.m. Hearings

- 4 RLH TA 20-457** Ratifying the Appealed Special Tax Assessment for property at 953 LAWSON AVENUE EAST. (File No. J2018A, Assessment No. 208530)

**Sponsors:** Yang

*Approve the assessment.*

953 Lawson Avenue East

Theresa Bowlin is on the phone line.

Marcia Moermond: You are the mother of the owner?

Bowlin: Yes.

Lisa Martin: Summary abatement order issued on 1/28/20, sent to occupant and Alicia Bowlin, trailer full of rubbish and a sofa, rechecked on 2/6, work done on 2/20, cost \$534. Looks like there is a history on the property: 12/12/19 garbage, 12/12/19 vehicle, 11/6/19 garbage, 1/3/19 garbage.

(looked at before video)

Moermond: Sofa, trailer, nestled between vehicles, trailer appears to have damaged wood siding.

(looked at after video)

Moermond: Items beside the trailer & items in the trailer were picked up and cleaned. The trailer remains.

Bowlin: I was trying to rent out a place to do art. Her boyfriend smashed the trailer. My vehicle was stolen so I never had a vehicle to put anything in. It was stuff for an art studio. It wasn't garbage. I could never get it out. The day before I got a place, that's when they put it away. My daughter said I owe her \$800 for that. There was a couch; I thought it was still there. Maybe they took that too. I had stuff by the trailer. I couldn't get it out, it was frozen to the ground. My daughter moved me to a high rise, which didn't do any good because I have 2 rooms. There is a whole block of empty area of grass. Everything I collect to do art, it gets thrown away. I might as well just forget it. I've done nothing my whole entire life. Just throw everything away, throw me away, and just die without having any enjoyment in life or doing anything. I can't do nothing. I can't live anywhere, and everything is too expensive.

Moermond: You're living in a high rise right now, right? It sounds like you're safely living there.

Bowlin: It's not safe. 99.9 degrees, there is no air conditioning in the hallways. It has cockroaches and bedbugs.

Moermond: You're not homeless.

Bowlin: No I'm not, but I'm not going to live here either. I'd rather be homeless.

Moermond: What are you looking for?

Bowlin: She told me it was \$800. I don't have money to pay it, but she'll keep bitching and about it. All the crap people are doing to me. I only have \$750 a month to live on. Did you guys take away a couch that was by the back door?

Moermond: It didn't happen that day. It may have been another cleanup.

*Bowlin: Was it \$800?*

*Moermond: I'm looking at an assessment for \$534. There is another assessment that is out there.*

*Bowlin: There is crap around me all the time.*

*Moermond: The City gave orders to do it and had given extensions.*

*Bowlin: She never tells me anything about it. There was kid stuff too. I don't why they took kid stuff.*

*Moermond: It was in a trailer full of stuff.*

*Bowlin: Put an assessment on it. She's going to bitch about it anyway, so goodbye.*

*Moermond: We will recommend approval of this assessment. This is not going to be due until next year. Hopefully between now and next year, the owners will be able to figure out how they are going to finance this.*

**Referred to the City Council due back on 3/17/2021**

**5 RLH TA 20-461** Ratifying the Appealed Special Tax Assessment for property at 1215 RICE STREET. (File No. J2022A, Assessment No. 208538)

**Sponsors:** Brendmoen

*Delete the assessment if the owner demonstrates he install lighting and camera and put up signage to prevent illegal dumping. If owner does not comply with these conditions, will reduce from \$316 to \$150 if no same or similar violation(s) by May 19, 2021.*

*1215 Rice Street*

*Matthew Park is on the phone line.*

*Lisa Martin: A summary abatement order was issued on 4/22/20 to remove garbage bags on the ground. Compliance date 4/28, work order done on 4/30, total assessment of \$478. There is a history on this property: 4/22/19 garbage, 3/25/19 graffiti.*

*(before video)*

*Marcia Moermond: Black and white garbage bags on the ground,*

*(after video)*

*Moermond: Bags removed. The April 26 photo and the April 28 photo and the video all look like we're looking at the same garbage bags in the same location. What's going on here, why are you appealing?*

*Park: I usually get the notification or any issues to our address. When I contact DSI (Department of Safety and Inspections), they said the address was not updated in their system. I put in a request to update it. I mailed it yesterday to fix that. The mail was sent to the address when it was closed during COVID time. We weren't able to react to what is going on. We have a lock and key on our dumpster so the public can't*

throw in there. I was at our other location helping patients. I didn't know this was happening.

Moermond: I can see that you have updated information now with the County and City. Looking back at the information that would have been available, it looks like Ramsey County had your address at 1215 Rice. We have to let the owner know at the address of record. In terms of being responsible for dumping: it sucks, but it is not the City's responsibility to cleanup your property either. You have an incentive to not let this happen again in the future. Graffiti was abated by the owner back in March 2019. There was something from April 2019. Was that abated by the owner?

Martin: I will pull it up here.

Moermond: Kind of looks like it is, but the notes are not great. The Mayor has asked that the Council hold off voting for assessments for cleanups until 2021. He's worried a lot of people will not be able to afford it during COVID. It will go to May of next year. I will recommend it being cut in half to \$239 and you would not have it on your radar again until May of next year. We will look in May to see if there is anything. If there isn't, it will be cut in half. Anything to add?

Park: I was told I could reach out to the Code Enforcement to work things out. Mattress for example, the City would help me take care of?

Martin: With garbage collection with the City, we thought we wouldn't have this problem. You can have certain items picked up for free with your garbage company. Ultimately, it is your responsibility if it is on your property. That is difficult to deal with. Dumping in this area happens a lot. Even the neighbors. There is trash everywhere. Have you thought about cameras or lights?

Park: I can tell only that someone dumped it. It doesn't help.

Moermond: Does your garbage hauler have permission to pick up items next to the dumpster?

Park: Even though there is not anything on the dumpster, they always check inside the dumpster. They charge a large amount to take trash outside the dumpster. It's \$120 for anything outside the dumpster. Do you have a suggestion for another hauler?

Moermond: That we can't do. We can give you a list of haulers. I will knock off \$150 now, and if you don't have anything similar, we will knock off another \$150.

Park: It's really hard. People just throw stuff. I'm here right now on site and right now it's furniture. I can't just throw that in the dumpster.

Moermond: Mai Vang will send you a list of who we have. There may have been a hauler that does more in the City. Anyone that hauls residential hauls commercial. I'm sorry you are going through this.

Park: I feel like it's happening more and more. I don't know if I should leave it unlocked so people can throw stuff in there.

Martin: We are constantly in that area. Sometimes signings will help. Motion lights will help. Camera systems that pick up the license, you can contact police with the video.

*Park: I'm willing to work with anyone. I can get a flood light and a camera. Signs at Home Depot?*

*Moermond: Yes.*

*Park: Thank you for the reduction.*

*Moermond: If you can get to me evidence that you have put the signage up and got the camera up, I'll go ahead and delete the entire thing if you can show me you're taking those steps: taking picture of and sending receipts of the work. I would rather you spend the money in a preventative way now. We're talking lighting, signage, cameras. If you send those things in, I will recommend it gets deleted. Would you recommend anything beyond that?*

*Martin: That sounds awesome.*

*Park: I can't post on a power line?*

*Moermond: You can't post on poles. They belong to the utility company.*

*Park: There seems like there is a no tow enforcement on there. So, I was wondering if there is anything I can post.*

*Moermond: We have a plan of action. We will take \$150 now and no same or similar, we will take off another \$150.*

*Park: Is it okay to do a week and a half from now?*

*Moermond: Yes, and we will follow up with a list of haulers.*

**Referred to the City Council due back on 5/19/2021**

### **Special Tax Assessments-ROLLS**

- 6 RLH AR** Ratifying the assessments for Property Clean Up services during April 1 to 10, 2020. (File No. J2021A, Assessment No. 208537)

**Sponsors:** Brendmoen

**Referred to the City Council due back on 5/19/2021**

- 7 RLH AR** Ratifying the assessments for Property Clean Up services during April 14 to 30, 2020. (File No. J2022A, Assessment No. 208538)

**Sponsors:** Brendmoen

**Referred to the City Council due back on 5/19/2021**

### **11:00 a.m. Hearings**

#### **Summary Abatement Orders**



8 [RLH SAO 20-10](#) Appeal of Michelle Pettit de Dimayuga to a Summary Abatement Order at 199 DUKE STREET.

**Sponsors:** Noecker

*Owner to provide a plan on how to address the blvd planting and piles of dirt/soil in the yard no later than August 11, 2020.*

*199 Duke Street*

*Michelle Pettit de Dimayuga is on the phone line.*

*Dimayuga: Will you hold on for one second? My mother-in-law just passed away, and I need to let someone go on the other line. (pause) I meant to be downstairs at my desk area. It'll just take a few more seconds to get down there. Who am I speaking to?*

*Marcia Moermond: This is Marcia Moermond. I'm hearing your appeal today. I'm wondering if you would like to reschedule because of the death in your family.*

*Dimayuga: I just found out a couple of minutes ago. I'm going to stay put until I find out what the plans are. Thank you for the offer, though.*

*Moermond: Let me know when you're settled.*

*Dimayuga: I just have to grab one thing. (pause) It was her 78th birthday last week. She was in one of the care facilities where she couldn't have any visitors. It was in lockdown, and she was in memory care. I was unable to see her. I was her full-time caregiver for 12 to 15 years before this.*

*Moermond: Are you sure you don't want to delay for a little bit?*

*Dimayuga: No, I need to move forward. This gardening project is part of the therapy. I sent the e-mails to upload.*

*Moermond: You sent them last night, and I had staff dealing with them last night. Are you settled and ready to go?*

*Dimayuga: Yes, I am.*

*Moermond: I am the Council's hearing officer. We are conducting a hearing over the phone about your appeal on the summary abatement order at 199 Duke. My job is to develop a recommendation for the City Council on that order. If you are okay with what I recommend to the City Council, they will go with it without discussion. If you are not okay with what I recommend to the City Council, you may submit additional information to them and they may look at things differently. I will start with a staff report, have staff lay the groundwork on the condition, and why they wrote the orders. Then talk to you about why you are appealing, and what you are looking for in the hearing process. Your situation is one I deal with time to time. I am familiar with your statement and pollinator ideas. Ms. Martin is the supervisor in Code Enforcement inspections.*

*Lisa Martin: A summary abatement order was issued to the occupant and owner. The summary abatement order was in regard to boulevard plantings and in the yard: "remove and properly dispose of the dirt piles and tree debris from the front yard and the boulevard." I spoke to Richard Kedrowski (inspector). The compliance date was*

June 15. We gave her extra time. I met with the owner myself. She gave me a great tour of the yard. I understand the concept of what she is doing. Photographs were taken this morning. The owner sent pictures last night showing the boulevard was built up mounds with plantings on them with signage.

Moermond: From the photos, I see 4 different categories of things. Pile of dirt or clean fill, boulevard with built in beds or piles of dirt, related to that would be the concerns that the soils are not retained on the property when there is rainfall, and I also see a pile of brush. Is that basically the nature of what you are considering here?

Martin: Any type of signage or permanent structures on the boulevard and height of the plants. We look at plants not exceeding 36 inches, not within 5 feet of any alley or driveway. This is a corner property. We don't want them to be within 10 feet of the business of the 24 hour parking restrictions. There are codes depending on what we are planting, the height, and where it is.

Moermond: What are you looking for in the long run?

Dimayuga: Because the soil is organic with wildfire seeds in it and came from a farmer, I'm looking to not disturb. The photos are basically the work done since March. Getting more people to help in June. Basically, digging trenches into the curbside and sidewalk side so the dirt continues to naturally go down an inch or 2 every time it rains so I don't lose the seeds or running system or higher quality soil. It's been back breaking to dig because of tree roots and limestone prominent in this neighborhood. Plus, there are glass, metal, and strange things you find in the boulevard. It does not make for good growing soil. I submitted things about permaculture because the well chosen rocks and some of the pieces of sticks are meant to keep the dirt pile together so plants can attach to them and create an environment so bees can pollinate and hide. I provided videos to show how that works. I provided pictures to show other places in Saint Paul where there are permanent structures. Some of the sticks are 1 inch in diameter by a foot long and buried under the earth to give structure for the roots to grab onto if there is a high wind. I checked after it rains, and there was no mud or dirt going into the curbs. My dad had his own commercial business on a busy corner lot, and I was always in charge of picking up cans, cigarette butts, and crab grass from the parking lot. I do keep my lot well kept. I want to get a variance so that I can continue on this journey. It is a healing garden for my family and for our neighborhood. Since I moved in here, on Duke Street from St. Clair down to Banfil there are no stop signs. Police clock people at 50 miles per hour coming in front of my house. I have small children. It was dangerous to let kids out my front door. Since we started this project in March, people are going the speed limit or slower and pulling up in front of the house and commenting on how the garden is, and they want to know the names of the flowers, grabbing some onions. There was a woman down the block who took a homegrown beet. I want to be able to continue doing that.

Moermond: Let me go back to the picture taken on June 8, there was a pile of dirt or organic soil inside the sidewalk. Is that still there?

Dimayuga: That has been removed. When they printed out the picture, did they come with a picture name?

Moermond: I can see where it is on the property. It is not named. It is simply dated. I really want to focus on where you want to go from where you are at right now, and if you have plans for this garden. It feels like you are all over the place with your

*planning. I looked at photos from a year ago, and your yard was plain grass. So, you've done a lot this year. Some of this is probably not going to be code compliant. I think the majority is. I'm a little concerned about the pile of sticks.*

*Dimayuga: Can you go to a picture Stage 3 on the corner?*

*Moermond: I have a half inch of photos, which is a lot to navigate. The fact that there are raised constructed beds in other areas built into the boulevard does not mean that you can do it. It means that there are illegal installations in other areas. You included that in the many photos that you provided and you mentioned it in your testimony. That does not change how I'm going to be evaluating this situation. I doubt you checked with Public Works. I hope that the way you have the things dug in the sidewalk does not undermine the sidewalk itself. Trenching beside the sidewalk is not great.*

*Dimayuga: It's 2 inches. I have included what other people have on boulevards. They have gotten edgers from Menards and other people have paver blocks.*

*Moermond: I'm not seeing those things right now. If it's a project you're going to do with it, I'm seeing it halfway done and not knowing where it is going from here. If I know where you are planning on taking this, and if you have some deadlines when you are completing different steps of this, or what you are going to be planning to do in the future and not ripping up right now. There may be a project you shouldn't do this year and maybe you'll start next year.*

*Dimayuga: What's why I made an extra space around the current mound. I measure them from the top of the curb to the top of the mound.*

*Moermond: I would like you to write out a plan. I am looking at an entire yard with a ton of things going on with it.*

*Dimayuga: The inspector said what is inside the yard, he is not concerned about. It is just the things on the boulevard. I've been spending the last 3 weeks—weather permitting—transferring the sod, digging out the trenches, and moving the soils.*

*Moermond: Literally the orders sent to you say "please remove and properly dispose of the dirt piles and tree debris from the front yard and the boulevard," so the orders are clear that both are involved.*

*Dimayuga: I do have parts of logs which help with the watering. So, the hose does not go over the beds. If people are weeding or visiting in the healing garden, they have a place to sit. So, they have a purpose. I wanted to consult with you about taking a letter to neighbors. There are older people in the neighborhood who are shut in and don't understand the concept of the garden. The tree debris has a purpose so people can sit on a tree stump and learn about the garden.*

*Moermond: I'm looking for a plan.*

*Dimayuga: I would like clarity on the boulevard so I can continue to remove some of the dirt and expand the beds out lengthwise so they are lowered without damaging the seeds that are already there. Some of those plants have already gone dormant.*

*Moermond: Based on the photos taken this morning, I am not prepared to say it is okay the way you have it set up right now. I would like to know where you are going from where you are right now. I would like to know what your plan is. Maybe what*

*you're describing is not the same thing I am picturing. Maybe you can provide a plan for the garden, so we can talk about the specifics of what needs to happen. I am supportive of this garden. There are some pieces we can work with together. I need something more specific to work off. I'm looking at ¼ inch of materials from you. We could send you an area map of your property so you could show where things are going and write on there your expected timeline. That would be helpful for us. Is that something you could work with? If we printed it out, that would give you something to work off. Would you be willing to do that?*

*Dimayuga: Yes, I would be willing to work on a plan. Is Lisa available from Code Enforcement? She was really helpful when she came out. She knows the code inside and out. She also understands about gardening and plants. She can help me prioritize. It was a lot of work. I put in 12 hours in the sun on Saturday and another 6 on Sunday. The people that have been helping, their total hours have been 40 between neighbors and friends and kids. None of that is the gardening itself. That is not putting tomatoes in cages or picking things. That is just digging. The soil is neglected. I have been at the property for 25 years. The boulevard was sunk in. It takes hours to dig around the roots enough so that the dirt is staying.*

*Moermond: How do you want to interact with this?*

*Martin: Once there is a clear plan. They have done a lot of work there. The complaint came in: tree logs, piles of dirt, the yard is unsightly, gross mess on the yard. If you're adding cages to tomato plants, I can imagine we're going to get more complaints from people who are not into gardening. If it was in the backyard, it wouldn't be so visual. During this hearing process, we want clear direction, so when we get complaints we can respond that it is accepted. I know you have driven around. I would love to visit those properties and let them know they're not in compliance. Once you have the plans sent into the hearing officer, we can take a look at it. Once we have a clear definition of where things are going to go, I am happy to take a look to make sure it meets the approved plan.*

*Dimayuga: I understand the anonymity of the complaints. I am concerned that I am being unfairly targeted by a neighbor who is not mentally well. They refuse to talk to me or my children. This is where I have been for 25 years. My kids go to Saint Paul schools, and I teach in the Saint Paul Schools. I am trying to make a positive change in my neighborhood. The wording of the complaint, I am sure who it is.*

*Moermond: I can't guess their motives. We can only look at the conditions on the ground and whether those conditions are valid.*

*Dimayuga: With all honesty, every single person who has come by has stopped and asked and commented how beautiful it is and what a wonderful change it is making in the neighborhood. My plan is to apply for more of these pollinator grants and be able to work with Lisa. The inspector gave me the actual code, so I can make the plan. With distance learning, we don't know what we are doing for teaching and where we will be assigned. I currently have all my teaching materials in boxes in my garage. My timeline of what I should be focusing on needs to be clear. I want to be able to garden and not risk another write up.*

*Moermond: We're in the same place.*

*Dimayuga: Somebody offered to bring me some plants, but I don't know where I could plant them at this point. I turned down more pollinator plants. I couldn't take them*

*because of this appeal. Can Lisa bring the plan out?*

*Moermond: We'll mail the document. You have your mother-in-law's recent passing and this going on.*

*Dimayuga: The announcement about the futures of schooling, I think it's the 27th or 29th of July.*

*Moermond: Does it affect the way you will be working in your gardening?*

*Dimayuga: I don't think so. It just means I'm going online more often. I can let you know the plan. There are a bunch of fall plants like vegetables and flowers that I would like to plant in August. I don't have the go ahead to do that, right?*

*Moermond: I need to know what you want to do, especially as it pertains to the boulevard area and mounds of soil and what is arguably a pile of brush in your yard. Try to plan what we are looking at right now, where it is going to, and we can talk about whether or not that is acceptable under the code. We'll get that out to you. I'd like to put you on the calendar 2 weeks from today at 11:00, we can talk about what you sent in.*

*Dimayuga: I just want to check the calendar. I think I start the teacher workshops on the 10th of August.*

*Moermond: August 4.*

*Dimayuga: Okay. August 4.*

*Moermond: We'll look for something from you. Have it to us no later than the beginning of business Monday, August 3. We will send you a letter concerning this. Take care and my sincere condolences.*

*Note: Ms. Dimayuga left a message on July 21 that she would like to schedule this 3 weeks out because of funeral arrangements. This is rescheduled to August 11.*

**Laid Over to the Legislative Hearings due back on 8/11/2020**

**9**      [RLH SAO 20-9](#)

Appeal of Patrick M. Hill to a Vehicle Abatement Order at 873 HAWTHORNE AVENUE EAST.

**Sponsors:**      Yang

*Grant to August 7, 2020 for compliance with the parking space by adding more Class 5 to areas where grass has grown; parking pad setback 4ft from neighboring property line with clear delineation landscape.*

*873 Hawthorne Avenue East*

*Patrick Hill is on the phone line.*

*Lisa Martin: Vehicle abatement order issued, 2 vehicles parking on unimproved service, one missing current tabs, compliance date July 2.*

*Hill: I did comply with the order and fulfilled everything I thought was required. Because of the heat and an unexpected problem with one of the vehicles, I called him*

on July 7. He said for the first time that the basis of which the surfaces was unapproved was that I was not observing the 4-foot setback from the property line for parking the vehicles. I submitted my claims to the City's data practices department, so I did not have a chance to review the historic documents. I have been the sole owner in the last 23 years. I decided to put in a parking pad. I called the City and got the code people and asked them what I had to do. They said as long as it is an approved surface, I could do it. They wanted an image, which I submitted. Gravel was fine. I moved the fence line. I had half a truckload of gravel. I spread it on the surface. I notified them I was done. Then I started parking there. I have been parking cars back there for over 20 years. I did get 2 vehicle abatement orders in those years. I conformed to their requirements. One of them did ask me to put down extra gravel. I got 10 bucketloads of gravel. She approved that before I went. On all of those inspections, never once was a 4-foot setback mentioned.

*Marcia Moermond:* The orders I'm looking at are for a white Oldsmobile and a Dodge. The Oldsmobile lacks current license tabs and appears undriveable. The Dodge is parked on an unimproved surface and lacks current tabs. Weeds are growing up, some in essence of 2 feet tall. It is not a Class 5 surface if it is needs to be mowed. You need to maintain it better. You do need a 3-foot setback. I'm looking for you to address the conditions of the vehicles, the tabs, and improving the surface. From the last 19 years, I don't see anything from zoning. I can see where that would have been parking surface. It's been so overgrown, it doesn't seem like it has been maintained to be a parking surface.

*Hill:* There have been sprouts of weeds that have come up.

*Moermond:* I'm looking at a lot.

*Hill:* I'm going to have to dispute that. Along the edge of the fence there are some, but I don't park over there. There may have been some underneath the vehicles when they were parked there. Both have been moved. They all have tabs now. Only one of them was in violation of the tabs. I moved them both off of that space, but I did put one back in there.

*Moermond:* Are they drivable?

*Hill:* Yes. I did have to charge the battery on both of them. I drove them out.

*Moermond:* They were accurately described at the time as undrivable because the batteries were not charged.

*Hill:* They appeared undrivable. In the chapter I read, in order to be disabled, they had to lack certain motor parts essential to the functioning of the vehicle. They had all those things. It's just that the batteries were not charged. That's a temporary thing. It's like having a flat tire.

*Moermond:* We could argue this. I would prefer to hear that you are going to fix the parking surface there and bring it up to code. Are you going to do that and how long will it take you?

*Hill:* I will do it today. I will move the car I put back and try to address all these things, the weeds, and stuff, but I will not be able to eradicate every single weed.

*Moermond:* When you have weeds grow, you no longer have a Class 5 surface. Class

5 gravel is durable and dustless. Growing weeds means it is no longer Class 5. It has been degraded and crushed to a point that it is sand. Durable and dustless is the definition.

Hill: Okay. I will address this today. Weeds will grow up. I will have it done today. When this issue was raised in a previous abatement, I put Roundup under the surface. At one time, it was lawn. Weeds are going to grow up from time to time no matter how persistent you are. If you want me to eradicate the weeds, I'll have it done today.

Moermond: Weeds and the growth mean that you no longer have a Class 5 surface which is acceptable under the code. I described that you need to refresh and redo that Class 5 surface. I'm also looking for distinct separation from the parking area to the property line. I'm going to add a deadline: I'll put this in front of City Council on August 5, and the deadline for completing the work will be August 7.

Hill: I can do that. Clarify the last thing you said: distinguishing from the property line.

Moermond: You have to have a 3-foot setback from the property line, yes?

Martin: There was a 4-foot setback on a side and rear property line. There is also a 1 foot setback along the alley pavement. Otherwise, it is a 4 foot.

Moermond: We're looking for a demarcation of the parking pad area at least 4 feet from the property line.

Hill: From my neighbor's property line or the alley property line?

Moermond: One foot from the property line of the alley. You don't have a problem with that. Your problem is you don't appear to have a 4-foot setback of your parking pad from the neighboring property. You're going to need to figure out how to demarcate the parking pad from the yard and how it is separate from the line.

Hill: I'm going to comply with that. Would you tell me where the language for the setback is? I couldn't find it in the code.

Moermond: That would be in the zoning code.

Hill: Could you tell me where it is? I couldn't find it.

Martin: It does not list what code section it is under, but it is under the zoning code.

Moermond: Could you send him that information and cite the City's zoning code for setback? We will get you information on that subject.

Hill: I would appreciate that. Thank you.

Martin: Section 66.43B is the section. I will send that.

Moermond: Grant to August 7, 2020 for compliance with the parking space by adding more Class 5 to areas where grass has grown; parking pad setback 4ft from neighboring property line with clear delineation landscape.

**Referred to the City Council due back on 8/5/2020**

**Correction Orders****10 RLH CO 20-10** Appeal of William Wilson to a Correction Notice and Summary Abatement Order at 1610 UPPER AFTON ROAD.

Sponsors: Prince

*Grant to August 21, 2020 for compliance on the Summary Abatement and October 1, 2020 for the Correction Notice pertaining to the vehicles and driveway.*

*1610 Upper Afton Road*

*William Wilson is on the phone line.*

*Wilson: I don't know the difference between the correction notice and summary abatement order.*

*Lisa Martin: Correction notice has a vehicle parking on an unapproved surface. Also appears there are items in the yard.*

*Marcia Moermond: I explain the difference like this: a correction notice is saying can you take care of this by a certain deadline. A summary abatement order is saying will you take care of this or the city will take care of it and then charge you.*

*Wilson: The vehicles, am I understanding that they are on an unapproved surface?*

*Moermond: It looks like they want you to submit a plan to park in more places in the yard.*

*Wilson: As far as an unapproved surface, my understanding is the issue has popped up in the past. I'm on a Class 5 surface. My understanding is that is an acceptable surface. I've lived in this house since 1954. The issue of the unapproved surface is the City wanted it to be asphalt or concrete. I was told because I was grandfathered in the Class 5 was acceptable. Everywhere there was a vehicle parked, it was on a Class 5 surface. I personally have one collector vehicle on blocks. It's on blocks so the air gets circulated around underneath. One other vehicle is my current drivable vehicle. It is a 96 Saturn. The collector vehicle is also 96. My wife's Mercury is parked in the yard. We are separated after 34 years of marriage. (Spoke of his health issues.) Regarding the Mercury, everything is licensed and tabbed. I have some repair that I'm doing on the Saturn. My next door neighbor Jay Larson lost his home. He has a trailer parked in my yard full of his belongings. All of my vehicles are on an acceptable surface of Class 5. It has been that way since 1954. I was told I don't have to get it asphalt or concrete. I have in excess of 100 feet of driveway surface that would cost me tens of thousands. I am almost 65 and live on a pension. I was told it was okay before.*

*Moermond: It does look like you have a Class 5 driveway that is somewhat degraded. I'm not looking for you to put cement down. I'm looking for some fresh Class 5 to clean it up. It appears that parking in your yard expanded beyond the driveway and the garage. You are parking behind the house and the garage. Let's repair the driveway and get it in better shape. The parking has migrated to the rest of the yard. Your neighbor will have to take those things away or the City will do it and charge you for it. I'm looking for feedback when your neighbor will get this done by. Three weeks or 4 at*



*the most? If your neighbor does not get rid of it, the charge is on you. The favor you did create a huge mess. Do you have his phone number to tell him he needs to find another storage?*

*Wilson: The driveway has been completely resurfaced in new Class 5.*

*Moermond: You're right. Staff has sent me a new photo.*

*Martin: The Class 5 looks fresh from the front, but it has not been maintained. You can mow the grass.*

*Wilson: No. Stephen said everything was perfectly acceptable. He said there is no issue on the driveway or the surface, the Class 5 or anything. I had a monster buckthorn problem. The person who redid the driveway also put in a Class 5 access across the front of the yard over towards the buckthorn. I have been parking my Saturn there. Jay's wife lives down the street, odd situation. (He talked about this family.) She's the one that created the mess. He's looking for storage facilities. He bought the trailer that is in his yard so he could store stuff in that. I just wanted to be a friend and helper.*

*Moermond: It sounds like this has some false starts. There are a lot of options. There are storage facilities. If you wanted to build a shed, that is certainly something you can do. He has a lot of choices that he can make. Right now, the choice is putting you in a bad position. I would like to put a deadline or expectation of when this will come to an end. The City wrote an order on May 29. We are 7 weeks down the road. I'm willing to look at this for another 4 weeks and then having the City remove the rest. Then the bill goes to you. I don't know how you want to do that. A dumpster is needed? By the time 4 weeks are gone, that is a long time. Laid over to August 21 for the summary abatement order. The situation with the driveway and parking, can you describe what is not working for the current parking?*

*Martin: Typically, we don't allow front yard parking. If the Class 5 is not maintained, then we would issue orders to provide the Class 5. Close to the garage, there are a lot of weeds growing through there.*

*Moermond: The most important thing is getting the yard cleaned up. Has Stephen Suon (Inspector) met with Wilson about how the front yard parking is not okay?*

*Martin: Yes.*

*Moermond: Let's push our compliance for the driveway to October 1.*

*Wilson: That whole area, the stuff around the garage, was only 2 years ago completely. The problem is the Class 5 is there, but the grass is growing up through it. That is an inherent nature that will happen. Grass will grow up through it. I can take a product like Roundup that will kill everything. That will bring it down to the Class 5. There is at least 5 to 6 inches of Class 5 there.*

*Martin: If you want to try to kill the weeds, that's fine. I'm not sure the vehicles are operable. The pads look really old.*

*Wilson: The only other vehicle that is not tabbed is the Mercury. Waiting for DMV to make sure it is currently tabbed. It is my wife's, but she lives elsewhere. She did not tab it last year. The tabs will be coming. It's a 2000 Mercury Sable. She has a new*

and even better one. The only vehicle that is not tabbed and runnable is my Saturn that I'm working on. I can tab that while I'm working on it. That is the only vehicle that is not current, tabbed, licensed, and runnable. How do you want me to deal with that?

Moermond: I don't see orders on those vehicles. I'm seeing notice on the parking.

Martin: It was just in the correction notice. It's number 1. Licensed, operable.

Moermond: I'm looking at October 1 for you to have that done. If one is a collector car, Suon can talk to you about the legal expectations for the storage of collector vehicles.

Wilson: I thought the issue of my collector vehicle was done and settled before and I would not be bothered again about the 96 collector Saturn on blocks. Here it is again. One time I'm told everything is fine and here I am bothered.

Moermond: I brought that up. I don't think Suon's orders are clear that a tarp or apron is not proper screening for a historic vehicle.

Martin: I'll make sure it is clarified. Collector vehicles need to be operable, collector plates, and proper screening is not under a tarp. It can be stored in a garage.

Wilson: It is absurd that I would have to build a facility for my collector vehicle.

Moermond: It's because it is on blocks. If you do want to store it on blocks, you can't do it out in the open. It has to be in a screened area. Tarp on top is fine. The fact that it's on blocks is the problem. We will send you a letter. I know your neighbor is not taking advantage of you, but the deadline affects you more than it affects him.

**Referred to the City Council due back on 8/12/2020**

## 11:30 a.m. Hearings

### Orders To Vacate, Condemnations and Revocations

- 11 [RLH VO 20-26](#) Appeal of Noah Rector to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1007 HAWTHORNE AVENUE EAST.

**Sponsors:** Yang

Grant to September 1, 2020 for compliance or the property must be vacated by October 1, 2020.

Noah Rector is on the phone line.

1007 Hawthorne Avenue East

Leanna Shaff: When we found out this was occupied, we went through the certificate of occupancy process. Adam Powers (inspector) and I were out there on March 4 to do an inspection. We found 25 deficiencies. Powers was out there again on April 30, and the deficiency list was down to 18. For June 5, there are 19 orders. Powers revoked the certificate of occupancy on July 9 with 17 orders on that, including the pending revocation for long term noncompliance. We have plumbing issues, mechanical deficiencies, plumbing permit still sitting there approved to pay, ventilation

*has been inspected, electrical, plumbing, and there are issues with those. There is a remodeling permit and there are issues with those. To have the house continuing to be occupied with all these issues with no end in sight, is outside our area.*

*Marcia Moermond: This property came to your attention because of the Sims property.*

*Shaff: Bathroom fan in the basement runs into combustible air for the furnace. That is a big issue. Missing handrails, water heater vent was not mortared at the chimney stack properly, pipes off the water heater are not in the proper materials, stucco is falling off, plumbing is not vented, it has an s-trap. The house has some huge issues that have not been corrected in a timely manner.*

*Moermond: The reason things have not been taken care of is because of backlog permits and inspection issues.*

*Rector: That is part and parcel of it. I have a contractor paid for to complete. It was a downstairs bathroom that someone put in a nonconforming manner. Looks 70's & 80's. That has all been torn out. That has all been permitted. I have been assured by my contractor, who has been paid, that will be done by August 1. It has been difficult for him to get his plumbing people to come out because of COVID and the electrician. And the backlog of people who don't feel comfortable coming out in semi-closed environment has made timing difficult.*

*Moermond: That is different than what you said in your appeal. In your appeal you said the problem was permits and inspections. Now the problem is contractors.*

*Rector: When Powers has been out and seen inadequate progress was a function of trying to hire people and get the work done. Now we're in a relocation situation. I'm continuing to hire new people. Now that I'm not related with any treatment center and the other house is empty, I am able to do this. Broadly, the dryer vent has been done 2 months ago. To have that reinspected and signed off, was much longer than anyone expected. There is more work to be done. Been paid for. The plumber and the bathroom remodel are all done. That is the basement bathroom. I have 2 disabled clients.*

*Moermond: Who is there now?*

*Rector: Two disabled tenants. One is with cerebral palsy who is pregnant. One with autism. I'm trying to keep it open just for the two of them and get this work done as expediently as possible. I've been assured with the contractor and now that I'm not associated with Sober House, to just get this to the place where it is not a sober house, not additional support living. Strictly non owner-occupied rental. Keep them off the street and get it done as expediently as possible. I'm a social worker. I work with the County. My billing since February has not been covered and paid. Just what I can put on credit cards. What I can manage. I was getting some income from the partnership with the sober housing. If you attend the treatment, you get access to housing. They went under. We are not associated. I'm trying to sell off what I can, fix the rest. Make sure I at least have a roof available for the 2 clients I have currently. They don't have anywhere else to go. We're trying to get it done as fast as possible.*

*Moermond: You're with the County and you didn't follow City regulations about having a fire certificate of occupancy for properties or properly getting designated as a sober house. That is troubling to me.*

Rector: My billing is a private therapist in clinical social work through the County. I'm not a county employee.

Moermond: You said you worked for the County so that made it sound like you were a county employee. Even still, as a professional in this area, one would think you would observe the regulations. If you are licensed, it would be part of your responsibilities.

Rector: Let me be the first to say, I made mistakes. I did not do my due diligence in doing enough research. I took the word of folks who wanted me to move at a pace that I was not able to keep up with. That is my mistake. Right now, I am in a damage control situation. Due to COVID, there are no more clients, there are no partnerships. Right now, I have 2 clients at 1007 Hawthorne who are disabled and need that place to be safe and need to be taken care of there.

Moermond: Are these your clients you are putting in housing?

Rector: My personal therapeutic clients, they were at one time. Because of the conflict of interest issue, they are not my personal clients.

Moermond: They were your clients. When you put them into your housing, they stopped being your clients?

Rector: That's correct.

Moermond: Again, that is troubling. I'm seeing 8 permits out there, which is positive, that's saying you are working on things. I'm not seeing a lot by way of rough-in inspections. You harkened back to Sims in your comments about how long it was taking for inspections. Your contractor pulled the permit on May 14. The inspector was out at the request of the contractor on June 1 to do a rough-in inspection. The inspector ordered some corrections and was called out to do a final on July 14. That seemed to be processed at a decent speed. It is contractor driven. I wanted to clarify that is what is going on at Sims. You have a ton going on at Hawthorne. You have 2 people living there. I would love to hear about your schedule for completing the work represented by all these permits.

Rector: I have been guaranteed August 1 is for the rest of the rough-in. That has been paid for. The bathroom, which includes venting, the handrail, stucco erosion is being repaired, address it as proactively as possible from what I can afford and who I can find to come out. I have 3 different people working in different areas.

Moermond: The orders under appeal indicate the inspector wants to do a reinspection on August 11. You'll be done on August 1 with the work. What is your ask?

Rector: I'm asking for extra time in case the contractor is not acting quite as speedily. If something needs correction or there are some issues, and I have to evict this disabled couple. I'm not sure my capacity to do that. I need more time. It is paid for.

Shaff: Rector does not have a good track record at having his being and doing together. I don't trust that this will be done. I have concerns that 2 disabled people continue to live in a state of disrepair and with life safety issues continuing around them.

Moermond: I am going to give an extension to September 1 for the work to be done or the property vacated. I would like a letter to go out to Rector confirming this and have

*the letters go to the occupants of the property so they know what is going on. Some information on landlord tenant law would be in order for both parties. Mr. Rector, you would benefit from some background information. There is a lot on the Attorney Generals' website. Your tenants would benefit.*

*Shaff: State law requires the landlord to provide that tenant landlord rights and responsibilities to the tenants or let them know it's available.*

*Moer: Have you done that?*

*Rector: I have worked with these 2 through 5 different residences, day care, adult disability environment.*

*Moermond: I will feel comfortable sending you the tenant landlord information. I will also like to send this to Ramsey County social services. There is financial assistance being provided to the County.*

*Rector: Yes, they get benefits. Anything the County can do.*

*Moermond: You are responsible. My concern is that you are not taking responsibility the way you should be, and they may need to step in. That has me more nervous than other aspects.*

*Rector: What is the concern? I would love Ramsey County's support in helping to provide stable housing.*

*Moermond: I'm concerned that the people providing income should be aware that these people may be in housing crisis shortly.*

*Shaff: I don't know if we can send a letter to Ramsey County.*

*Moermond: We can send that to House Calls program.*

*Rector: Thank you for the extension.*

**Referred to the City Council due back on 8/5/2020**

**12**     [RLH VO 20-27](#)

Appeal of Noah Rector to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 1011 MINNEHAHA AVENUE EAST.

**Sponsors:**     Prince

*Grant to September 1, 2020 for compliance or the property must be vacated by October 1, 2020.*

*1011 Minnehaha Avenue East*

*Leanna Shaff: Kind of in the same state. Revoked for long term noncompliance. It started in March. First inspection had 22 deficiencies. Second inspection on March 31 had 21. April 29, we were down to 10. June 10 we were at 9, and we are still at 9 today. Plumbing permit, approve to pay, not issued until it is paid. Building permit issued on May 5. Remaining deficiencies include getting the permits, paying for them, having them inspected, and finalized. This one has rear concrete that was not approved by zoning. Concrete pad is poured. Permit not finalized for the rear deck. Missing screens, missing handrails.*

*Marcia Moermond: Revoked for long-term noncompliance.*

*Shaff: This has a TISH (truth in sale of housing).*

*Moermond: Are you going to let the revocation go through and vacate the property?*

*Rector: I am attempting to sell it. I'm attempting to get it up to code. My main point is the concrete slab in the back. I called DSI (Department of Safety and Inspections) and was told this is old blacktop. You cannot go back to gravel. A permit is not required. I got the work done. The driveway needs the permit and needs the inspector. I intend to get this up to rental status. Does it need a permit for driving pad or does it not?*

*Moermond: I'm looking at an aerial photo.*

*Rector: Built in 1998. Not meant to have street parking.*

*Moermond: I can see an accessory structure at the back. Appears to be a black top area. Gravel area. That's probably in question.*

*Rector: That blacktop is now poured cement.*

*(Powers looked at aerial)*

*Moermond: It's got cement poured there.*

*Adam Powers: A vehicle was parked there on my recent inspection on July 9. There were tenants.*

*Moermond: Tenants left since July 9?*

*Rector: Yes. I wouldn't classify that person as a tenant, but sure.*

*Moermond: If he's not an owner, then legally that person is a tenant. A non-owner occupant is where we are with that. To have someone there that is not owner occupant you need to have a fire certificate of occupancy. When you said you didn't have a tenant, it made it sound like it was vacant.*

*Rector: I'm acting like I need one. If it sells, that is terrific. If it doesn't, it needs to be a rental.*

*Moermond: We'll do the same thing as the previous case. You need to have compliance by September 1 or your property vacated.*

*(reviewed all 3 of Rector's properties)*

*Moermond: Completely done means permits are finalized.*

*Shaff: You'll need to set up an appointment with the inspector for follow-up. Powers will schedule you to September 1 at 10:00 and 11:00.*

*Rector: Thank you.*

*Moermond: Grant to September 1, 2020 for compliance or the property must be vacated by October 1, 2020.*

**Referred to the City Council due back on 8/5/2020**

**13**     [RLH VO 20-28](#)     Appeal of Noah Rector to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 390 SIMS AVENUE.

**Sponsors:**     Brendmoen

*Deny the appeal. Note: compliance with order as of July 14, 2020.*

*390 Sims Avenue*

*Noah Rector is on the phone line.*

*Leanna Shaff: Back in January, we received a complaint that there were 10 to 14 people living there and no fire certificate of occupancy. Through some investigation by Adam Powers (inspector), we found that Mr. Rector had 2 other properties: 1007 Hawthorne & 1011 E. Minnehaha. He was using them as sober houses; he didn't have approval for that. My conversations with Mr. Rector was that he was getting people from the street and giving them a place to be. As for 390 Sims, the last inspection was July 9. The items left over were basically getting the permit finalized for the dryer vent and any other permits. On July 14, the permit was finalized. We can close the books on 390 Sims.*

*Marcia Moermond: That sounds straightforward. Anything to add to the record? Otherwise, staff seems satisfied where things are.*

*Rector: No. That's good. May I take the revocation notice off the front window and proceed with my new strategy for providing low income housing?*

*Shaff: We have to talk about that.*

*Moermond: I don't know what that strategy is, but I do know the revocation has been lifted, so you can take the placard down. I would suggest that if you have a strategy, that would be a conversation to have with the inspector or with Ms. Shaff. Are you thinking about sober affordable housing or simply renting it affordably?*

*Rector: The sober housing was in association with a treatment center which was not able to survive COVID and shelter in place safely. We are no longer associated. What I am trying to do with 390 Sims, I would like to put that in a Section 8 category, which DSI is inspecting. Their onboarding team is processing the paperwork. They have a native affairs person facilitating some of the onboarding. That paperwork is being processed.*

*Moermond: You're probably working with public housing and not the City.*

*Rector: They're doing their best to coordinate. The biggest issue is trying to get clear on how permits are applied for, processed, reinspected to see that work has been done. That seems to be the biggest gap in the communication.*

*Shaff: Saint Paul Public Housing Section 8 is very aware and diligent on the fire certificate of occupancy program. I think you are making statements that are difficult and not how the process works. If they have issues with your fire certificate of*

occupancy, they have no problem calling me.

*Rector: That is out of my hands. That is the processing agent on behalf of the family and clients. As far as they know, they are getting things done. They are working with the tribal agency to get the down payment. I filled out the onboarding. As far as I know, that procedure is moving along smoothly.*

*Moermond: For my purposes today, the orders have been addressed, the permits are finalized, and you can pull the placard. The other things, it sounds like we have some unknowns out there. I cannot address them. Let's move onto 1007 Hawthorne.*

**Referred to the City Council due back on 8/5/2020**

## 1:30 p.m. Hearings

### Fire Certificates of Occupancy

- 14 RLH FCO** Appeal of Andrew Eull to a Fire Certificate of Occupancy Approval With  
**20-69** Corrections at 750 BAYFIELD STREET.

**Sponsors:** Noecker

750 Bayfield Street

*Andrew Eull is on the phone line.*

*Leanna Shaff: This deficiency was noted during the certificate of occupancy process in May. It was approved with this correction on June 25. Exterior tank that has been out of service for multiple years. Either remove the tank or plan to restore service to the tank. The state fire code requires if it is out of service it has to be removed or returned to service.*

*Eull: To return it to service, there are tests that have to occur. Also, a permit filed with the state fire marshall. I'm looking at yes, the tank has been out of service for more than one year, but Minnesota State Fire Code's exception is tanks within operating facilities. We are an operating facility. We should be exempt from that rule.*

*Marcia Moermond: How are you interpreting within? Exterior or interior?*

*Eull: Exterior, 20,000 gallons, above ground.*

*Moermond: It does say tanks within operating facilities. He's not an enforcement officer to make that determination. He's saying casually "Yes, keep the tank here."*

*Eull: He would say that, yes.*

*Moermond: Minneapolis/St. Paul Airport Commission, do they own the land?*

*Eull: They own the land and we lease it.*

*Moermond: Your letter says it was inspected in 2015. Is that implying it has not been in use since 2015?*

*Eull: That is correct.*



Moermond: And you have no concrete plans to return it to service?

Eull: No. There is nothing concrete right now. There are times when companies are reviewing the hangar, and for a company to lease the hangar from us and be able to operate the fuel farm is a major selling point. For us to replace this would be hundreds of thousands of dollars.

Moermond: You want to bury this is the state fire code?

Eull: If that would be possible.

Moermond: I don't think it meets the definition. The fire code is clear it should be removed. There is not a compelling argument to be made how this tank is different than other tanks. We will continue this matter for a week to give you a chance to flesh out a little bit how this would meet that exception to the rule. If that does not work, we will put a date when it needs to be removed and put back on service. Laid over to 1:30 next Tuesday. We'll give you a call.

**Laid Over to the Legislative Hearings due back on 7/28/2020**

**15**     [SR 20-63](#)

Review Request of Extension for Council File RLH VBR 20-39 adopted June 17, 2020 for an Appeal of Lolita Francisco to a Vacant Building Registration Notice at 1670 SEVENTH STREET EAST.

**Sponsors:**        Prince

*Items were not completed and will refer to Vacant Building Program.*

*1670 Seventh Street East*

*Marcia Moermond: She is requesting an extension to get the certificate of occupancy reinstated. The action we took some time ago was on a vacant building registration. She was granted an appeal and she did not take steps to get the fire certificate of occupancy reinstated by pulling permits and completing work. The inspector had occasion to visit the property to investigate a sewer line led to finding that someone was using the basement drain as a toilet, which was causing the odor in the house. At this juncture, the next enforcement action according to Shaff is a referral to the vacant building program again. The property is not occupied.*

*Leanna Shaff: I believe it is. It's revoked vacant. When we sent it over to vacant buildings, it is a recommendation of what the vacant status should be, but if we revoke it unoccupied, it does not send it to vacant buildings.*

*Moermond: The property is not occupied. Off to Vacant Buildings. We will cross that bridge when we come to it. Presumably, Vacant Buildings will get that out sooner than later. Has a letter gone out?*

*Shaff: Probably not.*

*Moermond: I think it makes sense that a letter goes out that indicated the permits should be finalized or it will go to the Vacant Building program and give it a week or two. It probably would work to say this is in a revoked status for months. Giving a date like the first week in August would be a considerable extension from the original order to vacate. She wants to use this as an eviction notice.*

*Shaff: I will write that letter myself.*

**Received and Filed**

**2:30 p.m. Hearings**

**Vacant Building Registrations**

- 16 RLH VBR 20-47** Appeal of Shirzad Raimi to a Vacant Building Registration Renewal Notice at 740 TATUM STREET.
- Sponsors:** Jalali
- Waive the VB fee for 90 days to October 14, 2020.*
- 740 Tatum Street*
- Ivan Farrera is on the phone line.*
- Joe Yannarely: This is the vacant building fee. It has been in the program since 2014. It is just the annual fee. There are numerous active permits on the property.*
- Marcia Moermond: I'm guessing you want a 90 day fee waiver.*
- Farrera: You are a good guesser*
- Moermond: 90 days to October 14, 2020. If it is not done by then, it will go to Assessments and we will prorate it then.*
- Farrera: 120 days?*
- Moermond: No, you'll get 90 days. That is the standard.*
- Farrera: Thank you.*
- Referred to the City Council due back on 8/12/2020**
- 17 RLH VBR 20-49** Appeal of Nikki Knapp, JL Ventures, Land of Lakes Property Management, to a Vacant Building Registration Notice at 589 GOTZIAN STREET.
- Sponsors:** Prince
- Grant the appeal.*
- 589 Gotzian Street*
- Nikki Knapp is on the phone line.*
- Leanna Shaff: This is an attempted fire certificate of occupancy. We have no entry on January 27, February 24. On March 5, Ms. Knapp sent an e-mail wanting to wait until April to do the inspection scheduled for March 26, 2020. That is a no go after two no shows. He revoked it on June 4 for failure to allow entry. The owner does have to*

*provide access orders.*

*Joe Yannarely: We opened the vacant building file on June 18 after referral with Inspector James Thomas.*

*Marcia Moermond: You have a TISH (truth in sale of housing) dated today or filed with the City today.*

*Knapp: The home is listed. I haven't talked to the Realtor.*

*Moermond: You don't need a fire certificate of occupancy for a building no one is living in. It doesn't meet the definition of registered vacant building yet. The people moving in, they need to get a fire certificate of occupancy. I will grant you appeal on the vacant building registration. Do you want a fire certificate of occupancy?*

*Knapp: No. the owner wanted to sell it.*

**Referred to the City Council due back on 8/12/2020**

### 3:00 p.m. Hearings

- 18 [RLH TA 20-453](#) Ratifying the Appealed Special Tax Assessment for property at 309 AURORA AVENUE (File No. CG2001E3, Assessment No. 200118) (Legislative Hearing July 21)

**Sponsors:** Thao

309 Aurora Avenue

*(Clare Pillsbury is on the phone line.)*

*Pillsbury: I spoke to Republic. The entire assessment should be removed. The only issue is that the property owner made a payment to the Assessments office.*

*Marcia Moermond: Mai will process the resolution. Once Real Estate has that resolution, they can process a refund check.*

*Mai Vang: Amend or delete? It has been adopted.*

*Moermond: Let's ask Tanya what she wants to do. Let's dial her into the meeting.*

*(Tanya Panzer is on the phone line.)*

*Moermond: If it was the 2nd or 3rd, we could easily do a refund. Hi Tanya, we are trying to sort out 309 Aurora.*

*Panzer: What do you need from me?*

*Pillsbury: The property owner made a payment. That reduced it to \$62.66. What we're trying to figure out is how do we give the money back to the resident. Reimbursements, credits?*

*Panzer: You would do a TA file to delete the \$258.66 and then once the public hearing is held, I will start the refund process. It takes about 2 months. We would refund*

*them the amount.*

*Moermond: The amount on the assessment roll is...*

*Panzer: Only the amount she paid. You would have to indicate the \$258.66.*

*Moermond: From the top 1st Quarter, we have a \$62.66 balance that they owe, are we still saying we should refund them the \$190?*

*Pillsbury: Yes, whatever they paid toward the assessment.*

*Moermond: And delete the \$66 and refund the amount they paid.*

*Panzer: We're going to delete the whole thing and I'll refund the \$258.66.*

**Referred to the Legislative Hearings due back on 7/22/2020**

- 19**     [RLH TA 20-412](#)     Ratifying the Appealed Special Tax Assessment for property at 1006 MARSHALL AVENUE. (File No. CG2001A1, Assessment No. 200100) (Legislative Hearing July 21)

**Sponsors:**     Thao

1006 Marshall Avenue

*Clare Pillsbury: I spoke with Republic. We should reduce it down to the base cost of 2 carts of \$204.88.*

*Marcia Moermond: Assessment is \$264.69 and we're going down to \$204.88.*

*Pillsbury: Yes.*

**Referred to the City Council due back on 7/22/2020**