



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, June 8, 2021

9:00 AM

Remote Hearing

Special Tax Assessments

9:00 a.m. Hearings

- 1 **RLH TA 21-266** Ratifying the Appealed Special Tax Assessment for property at 1411 ALBEMARLE STREET. (File No. VB2107A, Assessment No. 218819)

Sponsors: Brendmoen

Reduce assessment from \$2,284 to \$800.

Lawford Backster, owner, appeared via phone

[Moermond gives background of hearing process]

Staff report by Supervisor Joe Yannarely: this was a Category 1 vacant building opened December 2, 2019 with a referral from Code for water shut off. Monitored for a year and half and May 18, 2021 it was rehabbed and occupied and the vacant building file closed. 1 summary abatement order with a work order for tall grass and weeds last summer. Total proposed assessment of \$2,284. It went five and a half months past the anniversary date.

Moermond: why are you appealing?

Backster: the property is mine but my son lives there. He is a traveling musician. He's gone for six months at a time sometimes. I mow the lawn and blow the snow but don't go into the house. One time he was gone and he had a running toilet and a large bill. I told him to have them turn the water off next time he left. Power and gas were still on. I didn't know it would trigger a vacant property action. That's what he did, then I went to pay the taxes in May and all of a sudden I see the large bill. The house was never boarded or unoccupied. It is just that my son is gone a lot especially during the pandemic. He stayed at our cabin up north where it is isolated. He was gone and paid his bills online.

Moermond: Ramsey County taxation lists you as the owner and you said your address is 1411 Albemarle. The mail was going to you at that address, and it sounds like you don't live there. There were lots of letters sent since December of 2019. There was notice but it sounds like your son wasn't passing that information on?

Backster: I haven't seen any notices until he came back to town. He may not have seen them either since he was gone most of the time.

Moermond: didn't he have his mail stopped at the post office?

Backster: I don't know. I think his mail went there but he was gone. When he finally came back there was a stack of mail in the mail slot.

Yannarely: including letters from Code Enforcement.

Backster: I don't go in. I go there and mow or blow the snow. I don't know what he got there. I know he came back and found a stack of mail, obviously some came from you, along with regular mail. The house was never boarded or vacant. I just never went in.

Moermond: it sounds like the water was turned off and no one was living there. The City sent a letter saying it's a category 1 vacant building with registration a form and fee. No one responded, letters were sent again. Assessment letter went out, and then a bill for the assessment. Then a fifth letter for the renewal. And then a final notice of it being an assessment. We are talking about the seventh letter today for the second vacant building fee. So at least seven letters immediately related to the matter at hand, addressed in your name to this address. That's the problem. I can't go back in time and fix your situation with what's already on your taxes. I'd like to find out when the water was restored.

Yannarely: all I have is a note from May 18 saying occupied and water is on.

Moermond: I'm going to cut this assessment in half, because we know for sure it has been occupied and water is running now. I want confirmation the water was running earlier. That's the measure we will look at to see if someone was living there. I will decrease it further if we can find it out. We'll contact the water department. We have an email address for you, is this correct?

Backster: yes.

Moermond: so we will send you what we learn from St. Paul Regional Water Service and I can share my final recommendation to see if we can decrease the assessment further. I wish there as more we could do, but this isn't that kind of situation. We'll get back to you in the near future.

Backster: ok, thank you.

Referred to the City Council due back on 6/23/2021

- 2 RLH TA 21-275** Ratifying the Appealed Special Tax Assessment for property at 1203 EDMUND AVENUE. (File No. J2109B, Assessment No. 218109)

Sponsors: Jalali

Delete the assessment.

Thomas Conroy, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this was a response of the St. Paul Fire Department on February 24 to a basement fire. In the course of the work they called in an emergency boarded contractor. He used 3 boards and a window secure for a total cost of \$553.

Moermond: in the information you provided as background is the Fire Department report from the fire itself. Can you summarize the part you thought was relevant to today's discussion?

Yanarely: it says here the contractor was called but the homeowner refused their help. So some discrepancy there as to why the contractor did work then.

Moermond: The biggest charge from Rest Pro is the call out fee, \$250. The boarding itself is \$141. The lion's share of their bill is that call out charge. Mr. Conroy, sounds like you were there?

Conroy: Joe and I have known each other for a number of years. I spoke with Joe, and my son who is a union carpenter out of St. Paul along with my wife. I am a disabled retired contractor and carpenter. Anytime you have a fire you can understand the shock and state of mind people are in. Firefighters Joe Blank and Mork introduced the guy who showed up and he wasn't the guy who was going to do the board up. He was the salesman for Restoration Professionals. I said no, my wife and son are here and I have construction equipment and materials in my garage, we'll handle it ourselves. Joe Blank said ok, you got that, he doesn't need you to do anything. Eric Lundgren was representing Rest Pro. He got back in his vehicle and waited for the firefighters to leave and came back out and said, "let me go in and make an assessment of what I see." That started the whole thing. He was in my house for almost 4 hours trying to sell me on this and that and said I don't have to contact my insurance; they will do it for me. He said "the City calls us because we're always on the job and have no problems with us. We're a preferred contractor with the City." He said in his estimation he was going to get his boss there 7 am the next day for a written estimate. It was moving so fast. The comical thing was while he was in my living room, dark and burned, I was sitting in my long johns. I lost an eye some years back and my other eye isn't good. It was dark and smokey I couldn't even see what he's having me sign. He had some guy show up with garbage bags, said "we'll get some clothes into the bag and we'll clean them." I asked them how much and they said nothing it was a favor. I said fine. I should have known there was something more to this. Three hours into him being at my house he called some other guy and said, "why don't you let him board it up and we'll take care of it for you, no charge." I said that's fine since you're offering. Ultimately they didn't board the 2 windows under the deck and the next day when my insurance adjustor was there he said I should. I made sure my wife did the 2 windows Rest Pro didn't. I finally looked at the thing I signed and sent it to my lawyer and he says you have 72 hours to cancel and it is an agreement to let Rest Pro into your house to start work immediately.

Moermond: can I ask what your lawyer's name is?

Conroy: Max Webber. After I spoke with Max he said you have 3 days to cancel but you should have it in writing. So I called Eric directly and he gave me a card that night saying he was available 24/7. No one returned my calls, I called his cell finally at 5:45, because he was going to be at my house at 7 am. I didn't want that since haven't even spoken to my insurance company yet. I said I know you had no agreement with the City because I told you in front of the fire department I didn't want you to do it. I'm willing to pay you a reasonable amount for the time spent here. He said no, I am not

going to bill you. I have a recording of it.

Moermond: did you ever get a bill from Rest Pro?

Conroy: no ma'am I did not. They said they wouldn't turn a bill into anyone. I do have this contract. I brought it up with Joe and he told me the steps. I have spoken to many people. I brought it to the attention of the Fire Department and I have an email from Vice Deputy Chief Roy Mokosso that outlines everything. Firefighter Joe Blank assured me he would take it up the ladder, so to speak. I was contacted by Mokosso who spoke with me at length about this issue. He sent me an email that said thank you for your time on the phone and said he sent an email to DSI requesting they look into and rectify the situation. He also scheduled meetings to talk about future actions by Restoration contractors and firefighters on scene. Blank said he is taking it seriously and to go by the book. I was given a sheet and section six, category 9, and it says a contractor cannot solicit work while representing the City. They cannot solicit work to be paid directly from owner or insurance company. It seems to me they broke their rules, or really pushed them at a minimum. You can understand the frustration and hurdles I have jumped through. I am on a limited income and won't have any money until I settle with the insurance company. I also spoke with James Hoffman and I also called Steve Magner. Hoffman was great and said let them know what happened and hopefully we can take care of you. I also had another issue James asked me to talk to you about, Marcia.

Moermond: discuss that and we'll respond to it together.

Conroy: I got a hold of James in reference to the vacant building registration fee warning letter and he said you changed some guidelines and I shouldn't have even gotten that letter and to tell you I spoke with him. He made notes of that and said I should request at least a 90-day waiver.

Moermond: we'll deal with that separately. I think he's mistaken, there has been no change in policy in 25 years. We can talk more about that vacant building fee, but we can't handle that at this time. I can tell you regarding the boarding, it is definitely going to be deleted. The fire report definitely corroborates everything you told me, which I already believed. You were on the scene and you were healthy and able to make a good decision about your house being secured. They should not have provided services. In terms of them hanging around afterwards and wanting to provide you with services and making representations on behalf of the City; I appreciate you taking the time to document and follow up with the City on what they did. I will follow up with DSI to make sure steps are taken. As well as the people who manage the contracting on behalf of the City and make sure there's appropriate notation made. I think you talking with Mokosso is fantastic. We'll make sure he's copied on all of this. We have his contact information and can loop him in. I appreciate the time you took to do some follow-up.

Conroy: I don't want this to happen to anyone else. I'm familiar with construction things but I can see others being terribly confused and in shock. I was almost taken advantage of. I want to give a shout out to Firefighter Joe Blank and Deputy Fire Chief Roy Mokosso. They treated me great and were angry to hear about all this stuff. Roy has set a new set of standards when they make contact with the homeowner and the guy buttoning it up that no sales go on. They were fantastic. You also have been, and Joe thank you so much too.

Moermond: thank you for your time this am. We'll let you know if anything comes up.

You won't get any further correspondence on this assessment; it will simply evaporate.

Conroy: and you have no control over the Vacant Building fee?

Moermond: I do, but I have to have a file in front of me. I'll have one of my people look at the situation and see where things are at.

Conroy: can I tell you that I spoke with James at length and said we have been working every day with air movers and scrubbers, as well as the insurance adjuster, every day

Moermond: I understand, and that's common in fire situations. I get it. We'll reach back and set up a time to talk about that fee specifically.

Conroy: thank you for your time.

Referred to the City Council due back on 7/21/2021

3 RLH TA 21-262 Ratifying the Appealed Special Tax Assessment for property at 1803 MARGARET STREET. (File No. VB2109, Assessment No. 218815)

Sponsors: Prince

Delete the assessment.

*Jacob Fisher, owner, appeared via phone
Marissa Fisher, owner, appeared via phone
Ivan Ferrara appeared via phone*

[Gives background of hearing process]

Staff report by Joe Yannarely: upon a referral from St. Paul Police Department, we opened a category 2 vacant building file on January 18, 2019 due to the fact it was secured by other than normal means. The inspector noted minor interior issues like holes in the drywall and clutter. It was conveyed to HUD. They did repairs and sold the property; they are often lax at notifying DSI about the sale of property. When it became apparent to DSI it was occupied, and the TISH said it was in excellent shape, we made it a category 1 and closed the file. It was past the date of the anniversary of the vacant building fee. Even though it is apparent now it was occupied the entire time the vacant building fee was in effect. Total proposed assessment of \$2,284. Vacant building file was closed in March and appears to have been occupied the entire time.

Moermond: it went in as a category 2 meaning it was subject to having a code compliance report. However, HUD came into ownership, due to a foreclosure more than likely, and they aren't subject to City regulations and did the repairs they want to do. The repairs were sufficient that it didn't qualify as a category 2, it was changed to a category 1. That means once someone moves it in is no longer a vacant building. Someone did purchase it and it happened a month prior to the fee being mailed out. This should be deleted. I'm happy to do that. I am assuming no one has questions since it has been deleted and that's the simplest way to go. Is that correct?

Ferrara: when we closed on the property and sold to the Fishers we gave that amount set aside in case something happened. What's the process for getting reimbursed?

Moermond: you need to deal with Burnet Title on that, the City isn't privy to that

transaction. Best of luck to everyone. This fee is going away and I hope everyone stays cool in the heat.

Referred to the City Council due back on 7/21/2021

4 RLH TA 21-267 Ratifying the Appealed Special Tax Assessment for property at 1358 PHALEN BOULEVARD. (File No. J2109B, Assessment No. 218109)

Sponsors: Yang

Delete the assessment. Staff to communicate with HR about appellant withdrawing claim.

Jacqueline Heintz, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: February 24 the Saint Paul Fire Department responded to a medical emergency where they were required to forcibly enter a building which resulted in calling a private contractor to secure the door they entered. It was one set of clips. The total assessment was \$427.

Moermond: I am wondering, Ms. Heintz, you submitted a few things. Can you describe the order of events of that morning?

Heintz: first, I moved here January 22. I am disabled. I was able to have a mailbox put on my front door because I can't get to the mailboxes. Every morning I get up at 7 am and unlock my front door because the mail is delivered by 8:15 a.m. I was fine. At 8:10 I had an incident where I slipped out of the wheelchair and lost my strength. My ride arrived and I could answer him once saying I would be down in a few minutes, but I had no strength to pick up the phone again. I couldn't lift my head or legs or arms. He kept calling and calling and from what I was told he called the company he worked for and they called 911. When the paramedics came up after they broke in the garage door, I told them my contractor was on her way. Her assistant even had arrived and told them they didn't have to do anything to do the door and someone was here. The paramedic said he accidentally –

Moermond: can you clarify, you said you called your contractor and then said they were there while the paramedics were there.

Heintz: they were coming over that day anyways. The first person arrived while paramedics were there. She told them Ann would be there within 5 minutes.

Moermond: the first person who arrived from where?

Heintz: the paramedics. He said when he was upstairs, I refused to go to the emergency room, and the contractor assisting Ann was already there. He said he already put the order through. By the time he left my contractor had already arrived. They were in the garage. They didn't see any vehicle from Restoration Professionals. I wasn't able to print out the fire report until last night. There is no indication the paramedics checked my front entrance door. If they would have, it was open and unlocked. That's another reason I'm appealing. I do this every morning because I get medications mailed to me and I don't want them sitting outside all day. The mail carrier delivers to my place first since my box is on my porch and I have to go half a football field to get to the other mailboxes. I got approval when I moved in to have it on my

porch. I unlock the door. I checked between 8 and 8:15 to get the mail. He comes between 7:30 and 8:15. There's nothing in the fire statement that says they checked alternative entrances to get in.

Moermond: when your ride comes do they go to back or front door?

Heintz: the backdoor. There is a front entrance, and I even have a patio door. They could have checked that. My front door was unlocked. The mail had arrived but I had the incident and I couldn't stand up to get to the mailbox. My brother had to get the mail for me.

Moermond: you told the paramedics that you didn't want the door secured because you had a contractor coming anyway. Did you notice, did Rest Pro come while the Fire Department was there, or was it after they left?

Heintz: to my knowledge they didn't come while they were there, because the Firefighter entered his report as he was leaving and said he'd try and back out that report. He spoke with my contractor who had arrived to fix the door.

Moermond: I have a couple of things going on here and one of the things is, I trust you told the Fire Department personnel you didn't want the back door secured because you had a contractor en route. They could have handled it with the Rest Pro folks. I also noticed you filed a claim for the cost of this assessment. If the City pays the claim and I delete this assessment you come out \$427 ahead. It is not a break-even thing. I just want to say this, I am willing to delete this assessment because I think that's fair but I want you to withdraw the claim so its "even steven."

Heintz: oh definitely, I wasn't trying to file a claim.

Moermond: well you did and it is date stamped March 13. It duplicates what you are asking for here. I will communicate to Sandra Bodensteiner in Human Resources and let her know I'm recommending the assessment gets deleted. She can confirm with you by letter or however she handles it that you have withdrawn your claim.

Heintz: oh definitely. I got that form from the Fire Department. They said to complete that and send that in.

Moermond: they were wrong. No big deal. The right way to handle it was this way. We're cleaning it up. I appreciate your time this morning and I think we have it cleaned up and you communicated clearly what you wanted and you were going to continue to be there. If you were transported we'd be talking about a different situation.

Referred to the City Council due back on 7/21/2021

5 [RLH TA 21-272](#)

Ratifying the Appealed Special Tax Assessment for property at 1802 ROSS AVENUE. (File No. J2107B1, Assessment No. 218115)

Sponsors: Prince

Layover to LH June 22, 2021 at 9 am (unable to reach property owner).

Voicemail at 10:25 am on June 8, 2021: this is Marcia Moermond with St. Paul City Council calling about your appealed assessment for a boarding at 1802 Ross. You seem to be unavailable. I'm going to continue this for 2 weeks, June 22 between 9 and 10:30 am. We'll try you again then.

Laid Over to the Legislative Hearings due back on 6/22/2021

10:00 a.m. Hearings

- 6 [RLH TA 21-260](#) Ratifying the Appealed Special Tax Assessment for property at 181 FRONT AVENUE. (File No. J2021A1, Assessment No. 208558)

Sponsors: Brendmoen

Layover to LH June 22, 2021 at 10 am (PO had not yet viewed video of

Derick Crockett, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: April 1, 2020 a summary abatement order was issued to Tamela Crockett on Minnehaha regarding 181 Front to remove bags of garbage and debris from the rear yard. Compliance date of April 8. It was reinspected, work wasn't done. Work order was sent on April 10, 2020. Total proposed assessment of \$450. November 5, 2019 it was opened as a category 1 fire. It didn't appear to be occupied then, and has quite a history, mostly from dumping. 3 work orders.

Moermond: why are you appealing?

Crockett: as far as I and my wife knows there was never a cleanup done. Even after the fire we had three 20-foot trucks come and pickup everything out there and had it removed. Both from inside and outside. I don't know when they supposedly picked it up. I was trying to get pictures. That's how I ended up here.

Moermond: I'm asking staff if we sent video to you. I looked a video yesterday and saw six black plastic bags, looked like contractor bags that were removed. Staff say they sent the link to the video yesterday. I want you to be able to look at that. The best thing to do is talk again in a couple of weeks after you've looked at the video. It doesn't seem fair to have a conversation without you having the same information. Are you available June 22? Between 10 and 11:30 am?

Crockett: ok. Just so it is understood, they were saying there were 5 bags that totaled \$500?

Moermond: we can talk about that. Most of the cost, \$288, is a call out charge. The cost of deploying the crew. Then the volume of materials. Then a service charge on top of that. Take a look at the video and see what I was looking at and we can talk again.

Crockett: she says she sent a letter. Were there pictures taken before? Was most of the debris removed and this was what was left?

Moermond: I saw about 6, it was a pile of bags. It says to remove all bags of garbage and debris from rear yard. I saw a lot of bags and a minimal amount of trash in the yard.

Crockett: that's what I'm saying. I'm trying to figure out was there a lot of stuff and we removed most of it and hadn't come back to get the five bags, or was it just those five bags?

Moermond: take a look at the orders and video and you'll have the same information as me.

Crockett: ok.

Laid Over to the Legislative Hearings due back on 6/22/2021

- 7 [RLH TA 21-249](#) Ratifying the Appealed Special Tax Assessment for property at 817 OTTAWA AVENUE. (File No. CRT2108, Assessment No. 218208)

Sponsors: Noecker

Approve the assessment (PO is no longer appealing).

No one appeared

Moermond: we have two assessments for 817 Ottawa. We have a new owner as of January 15, 2021.

Mai Vang: I sent Ms. Jayme Neverton all the documents and didn't hear from her. I sent her an email yesterday to see if she still wanted to appeal and to provide a phone number. Her response is they are trying to verify if the seller who had agreed to pay these assessments will hold up that bargain and that they will no longer appeal.

Moermond: based on that statement we will recommend approval of these assessments.

Referred to the City Council due back on 6/16/2021

- 8 **RLH TA 21-278** Ratifying the Appealed Special Tax Assessment for property at 817 OTTAWA AVENUE. (File No. J2022A1, Assessment No. 208560)

Sponsors: Noecker

Approve the assessment (PO is no longer appealing).

No one appeared

Moermond: we have two assessments for 817 Ottawa. We have a new owner as of January 15, 2021.

Mai Vang: I sent Ms. Jayme Neverton all the documents and didn't hear from her. I sent her an email yesterday to see if she still wanted to appeal and to provide a phone number. Her response is they are trying to verify if the seller who had agreed to pay these assessments will hold up that bargain and that they will no longer appeal.

Moermond: based on that statement we will recommend approval of these assessments.

Referred to the City Council due back on 6/23/2021

- 9 **RLH TA 21-259** Ratifying the Appealed Special Tax Assessment for property at 976 ROSE AVENUE EAST. (File No. J2109E, Assessment No. 218310)

Sponsors: Yang

Continue PH to October 20, 2021. If no same or similar violations, delete the assessment.

Keith Lor, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: January 4, 2021 snow and ice orders were sent. Reinspected January 8, we did recheck and found packed snow and ice, we sent a work order. By the time the crew got there it was resolved, but there is always a charge for sending a crew out. Total proposed assessment of \$157. There is history on the property, but none have work orders issued.

Moermond: so the City is issuing orders to take care of business, which owner was doing once the orders were received.

Martin: yes.

Lor: I don't think we were owners of the lot during that time.

Moermond: when did you purchase?

Lor: fall of 2020. I don't have the documentation in front of me. The snow shoveling, we're in Newport. We did get the orders and took care of it. We try to get there as soon as we can after a snow event. We got the orders, took care of it, and that was that. We got the assessment and I don't think it is fair. It was taken care of.

Moermond: right, they are charging you because it wasn't done on deadline. A fee for the crew being dispatched. According to Ramsey County you purchased March 6 of 2020.

Lor: I am putting a house up as we speak; it should be done by fall.

Moermond: so I have one previous issue with the property under your ownership, garbage in May of 2020. It looks like that was a case where there was liter and debris throughout the lot. Letter went to Laura Lor Vang. 2019 wasn't you at all.

Lor: we are constantly checking the lot for garbage.

Moermond: I'd like to create an incentive for there to be no additional problems. I'm going to ask the Council on July 21 to continue the Public Hearing to October 20, 2021. On October 20 if you haven't had any founded problems then I will recommend this is deleted.

Lor: I don't have to appear for the July hearing?

Moermond: correct, I'm just going to ask them to continue their conversation.

Referred to the City Council due back on 7/21/2021

10 RLH TA 21-256

Ratifying the Appealed Special Tax Assessment for property at 581 THOMAS AVENUE. (File No. J2022A1, Assessment No. 208560)

Sponsors: Thao

Reduce assessment from \$492 to \$330.

Elizabeth Stevens, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: March 23, 2020 a Summary Abatement Order was issued to Ronald Stevens on Thomas Avenue to remove tires and refrigerator from rear yard. Compliance date was March 27. Upon reinspection a work order was sent. Total proposed assessment of \$492. There was no returned mail. This was a category 1 due to the fire.

Moermond: you have a note in the file the property owner called and wanted more time and an extension was granted. Is that correct?

Martin: yes, we received a voicemail from the property owner requesting an extension to Thursday, which was granted. The work order was sent April 15.

Moermond: so the deadline was March 27. Extension to April 6, they went out April 13 to check and the crew went out April 15.

Martin: correct.

Moermond: why are you appealing Ms. Stevens?

Stevens: you know, I believe I was the person that left a voicemail—

Moermond: it just says the property owner.

Stevens: that's fine. I don't care. We were not living there at the time. Our house caught on fire May 14, 2019. It was a major problem. We weren't able to live there. Thus it becoming a vacant building. We were living in an apartment. Anyways. It doesn't matter. We came by regularly. The construction company was working on the house. We just got back in a year ago tomorrow. I thought the issue was taken care of. The construction company had a big dumpster, and I believe that it was dumped there by someone going down the alley. We didn't dump it there. I thought the matter had been cleared up. Apparently it wasn't. We did due diligence because we went out there and looked. We kept track of it. I'm not in the frame of mind right now. I don't think we should have to pay it. It wasn't ours. We had nothing there except some items in our shed. It was illegally dumped by someone else. We weren't living there. It is just disturbing that this is happening. We had a brand-new washer and dryer we had bought for when we moved in. It was stolen out of the shed one night. I'm not in a good state of mind right now. I don't think we should pay it because we took due diligence to rectify. I thought the construction company had taken care of the matter. I did not see it. I assumed it was taken care of. I don't understand, and I don't understand how it is now a year later that this is coming up. This is the first bill I got for this hearing.

Moermond: regarding the timing, it looks like notification about this proposed assessment went out in June of 2020. April or May of 2020 Mayor Carter said all assessments for nuisance issues should be pushed to 2021 because of Covid creating financial crisis for people. You would have talked to me July of 2020 and it was pushed to today. That's the timing issue. With respect to dumping. It seems to me the tires did look like it was dumping. I'm not sure the refrigerator to the side of the

shed was dumping. The door was off and it was on the house side. You did talk to your contractor, that is a private agreement with them to clear the matter. I need to figure out at what point does the City of Saint Paul taxpayer become responsible for cleaning up this property? And did we get to that point?

Stevens: I asked the contractor to remove the door for children who may crawl in.

Moermond: yes, they should do that. But it should also be removed entirely. You called and said you were taking care of it and given an extension. I know you were aware of it. You got extra time to deal with it. It just didn't get done.

Stevens: you know, obviously. Aside from all the stuff everyone else has had going on the past year, we were also displaced by a fire. For a year. You know, I don't if you understand the trauma that is caused by that. in that year we experienced many sad things. But anyways. I don't believe I should have to pay for this summary abatement when the cost is outrageous. I'm not the person that dumped it there. It doesn't belong to us. We did what we thought we could do in order to get it taken care of. I know if you make the decision we have to pay you'll put it on our taxes, which is also discouraging. Again, I'm a victim of something. It isn't my fault. I don't think we have a long history of having sh*t dumped in our yard. I don't understand why it is so difficult when you live in a neighborhood like Frogtown, which we love, things happen. We did what we thought was appropriate for acting. We had an agreement, fine. I am not so naive to not understand how the system of summary abatements work and why they have them. I used to work for Bill Wilson when he was a City Councilperson as his aide. I understand that. We did due diligence. If our contractor didn't take care of it and didn't tell us, then you know, I can't understand. I'm so angry right now. What is your recommendation, as if I don't think I already know?

Moermond: I'm struggling with your relationship with your contractor and following up with them about them not meeting their word they gave you. They said they took care of it and they didn't. It was a breach in their promise to you. It wasn't something the City was a party to. You called and told the inspector you needed more time to take of it. The contractor says they will take care of it. They didn't. The City does, after the extension. Do the other taxpayers take responsibility for your contractor not meeting the terms of your agreement? That's the rub I'm stuck with here. I do understand the trauma of a fire, and I do get there is a ton of stuff that happened to the whole word. You did get dumped on. This happens to people. Hopefully less because of organized hauling.

Stevens: I can't hear what you were saying.

Moermond: for how long? Can you hear me now?

Martin: I can hear you fine.

Stevens: I can hear you now.

Moermond: I'm going to remove the service charge and reduce it to \$330. If it is helpful I can make it payable over 2 years. The interest rate is around 4%. If the Council were to accept the recommendation then when this goes forward to public hearing you'll receive an invoice within a couple weeks. If you don't pay it, it goes on your 2022 property taxes.

Stevens: there has been, and always will be, a dumping problem in my community. I

happened to be out of the house. We took measures we thought were necessary. Apparently they weren't agreeable with you. But I still do not see that we have to be responsible for someone dumping stuff in my yard when we weren't even living here. It angers me.

Moermond: I get it.

Stevens: it is like, we have mandatory garbage pickup now. I don't know how that gets paid for now because I haven't been billed. The City is doing things that are not--I don't know. This isn't right.

Moermond: were you asking about what was going on with garbage billing?

Stevens: yes.

Moermond: do you pay your hauler directly? Do you pay Republic?

Stevens: does the company bill us directly?

Moermond: yes. They bill you directly. Right now it is June. On July 5 they will send out a bill for the third quarter of 2021. That bill will be due within 3 weeks. If it isn't paid, they tell you you're late and give you another month, then do it one more month, and if isn't paid it is sent to the City and say it was unpaid. The City will send out an invoice. If that is unpaid it is assessed. That's how that goes. Most people have a payment set up with their hauler. That that process there. For your case I'm recommending the Council deletes the administrative fee and gets you down to \$330. I understand you object to that. I can send a follow-up email to the Ward 1 office. You are also welcome to submit additional comments and look for a different outcome.

Stevens: when is the hearing?

Moermond: this goes to Council June 23.

Stevens: are they open to the public again?

Moermond: no, you can submit testimony in writing or attach it to the record. We can make sure the Ward 1 office is notified to read your comments too.

Stevens: will you send me a copy of my comments?

Moermond: we can send you the minutes. Do you have an email address?

Stevens: I do, but not that is accessible and I can't print from my phone. Please send it to my home at 581 Thomas.

Moermond: not a problem.

Referred to the City Council due back on 6/23/2021

Special Tax Assessments-ROLLS

- 11 RLH AR 21-53** Ratifying the assessments for Collection of Vacant Building Registration fees billed during July 7, 2020 to January 15, 2021. (File No. VB2109, Assessment No. 218815)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 12 **RLH AR 21-54** Ratifying the assessments for Securing and/or Emergency Boarding services during February 2021. (File No. J2109B, Assessment No. 218109)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 13 **RLH AR 21-55** Ratifying the assessments for Collection of Fire Certificate of Occupancy fees billed during January 18 to February 12, 2021. (File No. CRT2109, Assessment No. 218209)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 14 **RLH AR 21-56** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during December 23, 2020 to January 19, 2021. (File No. J2109E, Assessment No. 218310)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 15 **RLH AR 21-57** Ratifying the assessments for Diseased Tree(s) Removal services during January to February 2021. (File No. 2103T, Assessment No. 219002)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 16 **RLH AR 21-58** Ratifying the assessments for Dangerous Tree(s) Removal service during November 2020 at 830 University Ave W. (File No. 2104T, Assessment No. 219003)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

- 17 **RLH AR 21-59** Ratifying the assessments for Towing of Abandoned Vehicle(s) services during February to November 2020 . (File No. J2101V, Assessment No. 218000)

Sponsors: Brendmoen

Referred to the City Council due back on 7/21/2021

11:00 a.m. Hearings

Summary Abatement Orders

- 18 [RLH SAO 21-46](#) Appeal of Dennis J. Juvland to a Summary Abatement Order at 2078 BUSH AVENUE.
- Sponsors:** Prince
- Layover to LH June 22, 2021 at 11 am (per PO's request).*
- No one appeared*
- Moermond: this is a 2 week layover per appellant request.*
- Laid Over to the Legislative Hearings due back on 6/22/2021**
- 19 [RLH SAO 21-47](#) Appeal of Joseph M. Whebbe to a Notice to Cut Tall Grass and/or Weeds at 521 MICHIGAN STREET.
- Sponsors:** Noecker
- Grant to June 17, 2021 for compliance.*
- No one appeared*
- Voicemail at 11: 36 am on June 8, 2021: this is Marcia Moermond with St. Paul City Council. We will try back in 5 to 10 minutes.*
- Voicemail at 11:59 am on June 8, 2021: good morning this is Marcia Moermond again regarding your appeal at 521 Michigan. I will be making a recommendation to the Council that your appeal be denied but an extension granted to Thursday of next week, June 17, for the work to be done. Staff will come by to check then. We will follow up with email correspondence.*
- Referred to the City Council due back on 6/16/2021**
- 20 [RLH SAO 21-48](#) Making finding on the appealed nuisance abatement ordered for 855 THIRD STREET EAST in Council File RLH SAO 21-38.
- Sponsors:** Prince
- The nuisance is abated and the matter resolved.*
- Paris Getty, owner, appeared via phone*
- Moermond: we have a follow up hearing on the orders issued to clean up the yard, deal with the shed, and the things outside. We also have an appeal on the vehicle. I'd like to talk about the older orders first.*
- Getty: that's all been taken care of.*
- Moermond: that's great. We have Paula Seeley on the phone as well. Ms. Seeley, I understand you haven't been by to confirm things are done but you're going to do that this afternoon?*

Supervisor Paula Seeley: yes.

Getty: I have the tent and gazebo with some items on that. I haven't heard back from her on that, she said she was going to check. There is a wagon filled with items and that's pretty much it. Everything else is cleaned up.

Moermond: that's great. That makeshift shed?

Getty: that is gone. He did get a license on the trailer too, but it isn't on the property any longer.

Moermond: we will talk about the vehicle orders now. Ms. Seeley, can you give us a report on that?

Seeley: I wrote the vehicle abatement order on the 2 vehicles. The Chevy truck and the Mitsubishi. Both had expired tabs. If he has current tabs on the Mitsubishi and it is operable, it is good to go

Getty: I bought that brand new in 2018 for \$15,000. Someone stole it 3 times. The insurance company got tired of dealing with it. They claimed it as salvage value. There's no damage except minor to the front doors. I bought it back from them and I haven't been able to put tabs on it because it is considered salvage. It is drivable. I don't know what to do. Even though it is salvage value they want \$360 for a year of tabs. They refused to issue tabs for it because they said it is salvage value and I don't know what to do.

Moermond: well you have to get that figured out.

Getty: can I have until the first part of next month? I think I can do something by then. The truck he has tabs on that, as well as the car.

Moermond: but you're not appealing that. We are just talking about the Mitsubishi right?

Getty: yes.

Moermond: I will give you a generous extension to July 9 to get tabs on that.

Referred to the City Council due back on 6/9/2021

**21 RLH SAO
21-43**

Appeal of Paris Getty to a Vehicle Abatement Order at 855 THIRD STREET EAST.

Sponsors: Prince

Grant to July 9, 2021 for compliance with orders on the Mitsubishi.

Paris Getty, owner, appeared via phone

Moermond: we have a follow up hearing on the orders issued to clean up the yard, deal with the shed, and the things outside. We also have an appeal on the vehicle. I'd like to talk about the older orders first.

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Moermond: I will give you a generous extension to July 9 to get tabs on that.

Referred to the City Council due back on 6/23/2021

Orders To Vacate, Condemnations and Revocations

- 22 [RLH VO 21-19](#) Appeal of Derek Thooff, Attorney, on behalf of Pa Nah Vang, to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 865 JESSIE STREET.

Sponsors: Brendmoen

Layover to LH June 22, 2021 at 11 am for further discussion. PO to submit a work plan based off the June 16th inspection, including signed bids, by COB Monday June 21,

2021.

Derek Thooff, attorney o/b/o owner, appeared via phone

Ms. Pa Nah Vang, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: on September 22 9:34 pm DSI was informed by the Fire Department that there was an oven fire at the property and they noticed a lack of basic fire protection systems, including smoke and carbons. Inspector Franquiz went to the property on the 23, he was allowed access by the tenant's daughter. He observed the hardwired smoke detectors were missing. He also noticed 2 mattresses on the floor in the attic and it wasn't a habitable space due to ceiling height. He left a report instructing them to provide smoke alarms, remove mattresses, the stove was slightly damaged. He went back September 24; two new smoke alarms were working and mattresses placed in a storage position. The Fire c of O was also due, so we transferred everything and opened a file. On October 22, 2020 he condemned the front room on the second floor. It had a window but the room was only about 55 square feet. For one person, minimum size is 77 square feet. He sent orders on that with other corrections. He went back November 23, inspector Vue accompanied him. There was a language barrier and inspector Vue speaks Hmong, which helped. Mattresses had been removed from the other room on reinspection and condemnation placard was removed. December 22 Franquiz received an email saying someone in the house was exposed to Covid, so the inspection was rescheduled. January there were continued Covid concerns, rescheduled again to February. He went again with inspector Vue, many deficiencies had been corrected, but a lot weren't. Part of the issue is the owner, his sister, and her family live at the property. The owner lives out of state and we had no contact with the owner. I advised Inspector Franquiz to try and contact the owner before we made further decisions. He got the number from tenant's daughter; he left a message February 23. February 24 he called the owner and was unable to understand the owner, but he understood the property was being rented to own. He asked Inspector Vue to interpret. He got no further response from the property owner. Inspector Vue notes that she left voicemails for the property owner, even on March 1, March 2 voicemail full. Inspector Vue continued to try and reach the property owner. We understand some of the work done was done by the sister's husband who is a tenant. March 11 we decided to revoke the Fire C of O due to long-term noncompliance, and unable to reach the property owner. April 13 Inspector Vue and Franquiz went to the property. After several minutes of waiting they met someone who said they were the son and had purchased the property. We noted no change of ownership with Ramsey County. Information is the same. He did find out April 14 there was no recent paperwork for a purchase of the property, according to SPRW the tenant is paying the bills that go directly to the property. Pa Na Vang is on the account opened in September 2013. April 14 we didn't get any information from anyone. April 15 Inspector Vue spoke to tenant's daughter and requested the new owner's information. Daughter didn't have that information. She said she would contact her older sister and call Inspector Vue. April 20 they hadn't been contacted by any owners or the tenants. April 22 Inspector Franquiz spoke with a representative from Ramsey County and was informed the property was sold and owner is Pa Na Vang, recorded April 16, 2021. However it wasn't updated in the computer records yet for us to see. We transferred the orders to Code at that point since it was confirmed as owner occupied.

Moermond: so transferred to code. Ms. Martin, you got the file. What happens next?

Staff report by Supervisor Lisa Martin: we did get a file from Fire Inspections. We looked at the outstanding orders, and because the sale happened April 16, 2021. That means it is owner-occupied which falls under our jurisdiction. We went off the fire inspector's report and sent a correction notice to the new owner at jessie. The Fire C of O was revoked due to long-term noncompliance. No TISH was done. We did send an appointment letter for compliance, same as fire orders. I did hear from Pa Na Vang, said she got it after April 30th. I explained Code would then be following the case and sent a new letter. I didn't hear back from her. I was advised to issue the condemnation and order to vacate.

Moermond: not an exact mirror, the items related to a revocation of fire certificate aren't those things required of owner-occupied properties. Those things simply don't appear?

Martin: some things were corrected. The correction notice and appointment letter were to meet and see what was still outstanding to give an accurate assessment of what was completed. We haven't received access. Photos were taken by Franquiz, we have no current photos.

Moermond: the sale closed March 30, 2021. Ramsey County indicates it isn't a typical market sale because it was for \$150,000 and the estimated market value is \$205,300. The person who is the realtor didn't submit the closing documents to register the deed with Arden Title until mid-April, hence the delay. The TISH is a local code requirement for transacting a dwelling of this nature. You would need that document, a Fire C of O in good standing, or a certificate of code compliance. None of those 3 are in place. A realtor representing buyer or seller should have made sure of that. That is a violation of local code. That isn't in front of me today, but it is important to point out it would have been a clue of the impending sale. The documents received speak to the series of inspection and current building conditions. Can you start with what your ask is?

Thooft: a big issue is lack of communication and follow through, compounded by the language barrier. Now that I'm involved, she is hitting the issues head on. We won't have issues resolving this moving forward. I'd like to get them more time to make the reasonable changes, 3 to 4 months. I want to go through some of the issues and attest to what has been done and what they are working on now. The letter dated May 24, 2021 has 20 violations. 1, I don't believe it needs an address now. 2 parking issue, there is no vehicle in the front yard. They do have a trailer which we have pictures of. It is in the driveway. There was one instance where a vehicle was on the grass about 2 feet. Number 3, the client maintain grass under 8 inches. There was maybe one instance in the past, it hasn't been an issue since notification from the City. Issue of fence maintenance, she is getting quotes and intends to paint. Number 5, also in the process of repairing electrical conduit on northside of the house. Construction materials and paint right now isn't easy to get. She bought the house March 30th.

Moermond: she has lived there quite a long time, am I mistaken?

Thooft: about 10 years.

Moermond: and she's the responsible party because he is out of state?

Thooft: that isn't her understanding that she was the responsible party. Once the uncle failed to maintain the property she approached him about buying it. In March she recognized the issues weren't going anywhere and arranged to purchase, thereby taking control and responsibility. I know it has been an ongoing issue with no

communication with the uncle. That's a big reason she purchased to try and make sure her and her family can continue to live there. Moving onto 6, the guardrail, the rules say it can't be more 30 inches. It isn't in fact more than 30 inches. We're more than willing to submit follow up information. Number 7, peeling paint on house and garage. She agrees, it will be fixed. She's purchasing paint. Number 8, the stairs and walkways are in good condition. We submitted pictures. Definitely operable, no safety concerns. Number 9, same argument. Images are submitted. As far as the windows, my clients indicates there's one screen on the top floor. She is having a hard time tracking down the screen as it is a different size. Exposed wires are reasonable and Ms. Vang is in the process of repairing. Storage: they have maintained orderly storage. Exits and clear paths throughout the home. Electricity mentioned a flickering light. She has changed the lights and are in perfect conditioning. Issue with stove, it has been repaired. Walls have been repaired and are in good conditions. Final issue is plumbing. The toilet is being replaced. It has been purchased. That shouldn't be an issue. The three issues that need permits. They are expensive, things she can't fix in the next 3 to 4 months. She has to save some money or get creative and find alternatives. Number 11, number 14 and 19. Number 11 requires a permit for dryer vent. Number 14 requires a permit for the venting in the bathroom. Number 19 the water heater was installed by a family member and needs to be reinstalled under permit. She doesn't have unlimited resources. She's pinching pennies but she is running into material and contractor delays and the biggest issues are financial issues on her end. Nothing is free or able to be done on a cheap price tag. My ask is the same. She has shown an incredible amount of progress. What we have submitted shows that. We will allow another inspection to show that progress. She has indicated she will continue to attempt to resolve them until they are completely resolved. She needs more than a few days. If we can work together and give her that time it's a win/win for all parties. They want to restore this house and raise the value of the home. Any other questions?

Moermond: no. Any comments by staff?

Martin: looking at those items, it will cost money. The dryer venting, ventilation; these are all issues that have been outstanding for some time. The water heater installed without a permit. These are safety issues that need to be addressed quickly.

Moermond: I have photographs of things that you are saying are done, which I appreciate. That isn't the same as having an inspector's eyes on it. Obviously an inspector needs to affirm these representations. I noticed the items that aren't done you have a disagreement or they are trades items. I am looking for real live bids that show me you are actually working on it and have had contractors out there, and how you will finance it. I won't recommend any additional extension without a plan showing how it will be executed. These orders have been in play for a very long time. One of the things that could have happened was, in financing the purchase of the home, this could have been considered. If it had been properly inspected, these thing should have come to light and there would have been full disclosure. She did have the orders in her hands. I don't know what she was thinking unless she thought it would go away since it was owner-occupied. I need to see her really in the game and getting bids, how it will get paid for. Is it a \$500 job or a \$2,000 job? Are there funds she can seek from a local community development corporation to help defray the costs? That's something she should have started looking at already. I'd like to put out an expectation you come back with a rock-solid plan of how this will happen before I give an extension. I'll give you two weeks to get bids. The water heater is problematic. You're going to have to find a contractor who will put their name on someone else's work. That's going to be a problem. The wiring and lights flickering, I think there may be more going on than

replacing bulbs. In terms of disagreement on particular items, I haven't looked to see if inspector has photographs. I'd like if the inspector could meet with you or the owner onsite to review those items and there be some sort of documentation. That being said, Ms. Martin, are you available in the next couple weeks to meet with them to discuss the items under dispute?

Martin: yes, I'm available next Wednesday or Thursday.

Moermond: I'd like it to happen next week because will talk again June 22.

Thooff: June 16th.

Moermond: June 16th 10 am?

Thooff: morning won't work, afternoon will.

Martin: 1:00

Thooff: 1 pm on June 16th works.

Moermond: in the meantime I suggest getting contractors to get bids. Dayton's Bluff neighborhood housing may be of assistance. Start looking into resources that may help.

Thooff: Ms. Vang, while she did live here, she wasn't living in it for the last 7 to 10 years with these issues with the uncle. She bought in March of 2021 from her uncle. Her parents had lived here the whole time. She has not been living there for the last 10 years when the bulk of the issues came up. She did get an inspection of the property prior to purchasing it in March of 2021.

Moermond: not a TISH report as required under City code.

Thooff: ok. I just wanted to point that out. We'll get a plan in the works and be there for the June 16 inspection to clarify details . What time June 22?

Moermond: 11:30 in the morning, you'll get a confirmation letter from staff too.

Laid Over to the Legislative Hearings due back on 6/22/2021

Other-Making Finding

23 RLH SAO 21-26 Making finding on the appealed nuisance abatement ordered for 916 IGLEHART AVENUE in Council File RLH SAO 21-16.

Sponsors: Thao

The nuisance is abated and the matter resolved.

No one appeared.

Moermond: abated April 14?

Supervisor Lisa Martin: yes.

Referred to the City Council due back on 6/23/2021

- 24 RLH SAO 21-42** Making finding on the appealed nuisance abatement ordered for 359 MICHIGAN STREET in Council File RLH SAO 21-31.
- Sponsors:** Noecker
- The nuisance is abated and the matter resolved.*
- No one appeared*
- Moermond: abated June 1?*
- Supervisor Lisa Martin: yes.*
- Referred to the City Council due back on 6/23/2021**
-
- 25 RLH SAO 21-45** Making finding on the appealed nuisance abatement ordered for 1728 ROWE PLACE in Council File RLH SAO 21-29.
- Sponsors:** Prince
- The nuisance is abated and the matter resolved.*
- No one appeared.*
- Moermond: abated May 19?*
- Supervisor Lisa Martin: yes.*
- Referred to the City Council due back on 6/23/2021**

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 26 [RLH VO 21-21](#)** Appeal of Philip Black, on behalf of Seu Pin Fung, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 732 CASE AVENUE.
- Sponsors:** Yang
- Layover to LH June 15, 2021 at 11:30 am (unable to reach PO).*
- Philip Black, o/b/o Seu Pin Fung, appeared via phone*
- Tried calling x8030 at 12:43: voicemail box full, unable to leave message*
- Moermond: mailbox is full, let's try calling back at 1:30.*
- Philip Black, o/b/o Seu Pin Fung, appeared via phone*
- [Moermond gives background of hearing process]*
- [Black disconnected]*

[called back at 2:41 pm: voicemail box full]

Moermond: Layover one week at 11:30 on June 15.

Laid Over to the Legislative Hearings due back on 6/15/2021

1:30 p.m. Hearings

Fire Certificates of Occupancy

- 27 [RLH FCO 21-82](#) Appeal of Terry Hopkins, Americold LLC, to a Fire Inspection Correction Notice at 236 and 240 CHESTER STREET.

Sponsors: Noecker

Layover to LH June 15, 2021 at 1:30 pm (requested reschedule by PO).

No one appeared

Moermond: layover to June 15, requested by owner.

Laid Over to the Legislative Hearings due back on 6/15/2021

- 28 **RLH FCO 21-71** Appeal of Steve Basco to a Fire Inspection Correction Notice at 821 CONWAY STREET.

Sponsors: Prince

Grant to October 1, 2021 for compliance with items 1, 6 & 7 related to front room sleeping egress & basement fire separation. Grant to July 1, 2021 for the balance of the orders (items 2, 3, 4, 5, 8, 9, 10 & 11).

Steve Basco appeared via phone

Moermond: following up with you about your appeal at 821 Conway. Also on the phone is Supervisor Leanna Shaff, she was with us in the last hearing. Today we are following up with you, we had done a continuance from May 18 to today to give you a chance to look at rental rehab program, fire separation, and dealing with the front bedroom and costs associated with that. Wondering what kind of information you have at this point?

Basco: since the last time we spoke I have reached out to a general contractor, Renovation Systems, to try to schedule an appointment for them to come take a look at both the egress part of the inspection as well as the fire rating between the different levels. I don't have an appointment scheduled yet. They are really booked out right now. It is hard to find someone to come out to do a "small project". I have also reached out to an architect to get some perspective on the requirements and what their suggestions would be, adding an egress window or the basement that is 100 years old to meet code. I guess I have also reached out to Gladstone, a window company, to see what we can do about installing an egress window or modifying the porch to have it as egress without cutting a hole in the side of the house. I'm still in the process of figuring out my different options. I also talked to the architect who mentioned they had done a project before using a fire-resistant paint product. I talked to a Sherwin Williams representative to see what that product is like and if that would meet code if I

sprayed the basement ceiling. I don't know if that's a possibility or if that would meet code? As of right now I've been compiling all of the information. I talked to Dionne with the Rental Rehab program to see if I'm eligible. As well as the timeline on that if I did get a loan, and the fine print related to that, as well as other options. I've been working through that the last 2 weeks and trying to get contractors out. In the meantime I've corrected all the other issues. A plumber is coming in tomorrow to do the dryer venting. That's the only other contract work I have outstanding. The one thing holding me up is going back to where I was originally, which was am I grandfathered in under any kind of building codes since I have 100-year home that has been a triplex? Is there a way to get around based on the existing structure? Reading the international building code 102.6, existing structures and where it says legal occupancy as of the date of adoption of the code would be grandfathered into not meeting this code. This property was originally moved to this location as a triplex in 1974. Yes nonconforming use is more zoning but being where I have had it as a triplex and I'm assuming it was constructed as a triplex when it was moved to this location. I've had inspections done. Would I fall in under the existing structure of the code for the international building code section 102.6? I can't see where there are no other properties in the City of St Paul that have vertical units where it all meets the code of the hour fire rating. I wanted to circle back on that and see if there's an option to be grandfathered in under that code.

Moermond: I thought we hashed this out thoroughly before. Ms. Shaff, can you comment first? I do think regardless the fire code trumps the building code in terms of fire separation.

Supervisor Shaff: when you're going back to existing building use, the assumption is that the building hasn't been changed or modified. With the porch enclosure, that's a modification, so no grandfathering. Looking back through this file, 2003 it says it's a duplex. You're talking about an assumption in the code that the building was code complaint in the year it was built. Once you change, modify, or anything you're talking about bringing those pieces to today's code. Existing building code. Most of the pieces behind us we're looking to the codes. I'm going to tell you that I don't believe your situation would be "grandfathered" in.

Basco: because why? Wouldn't it be considered a major renovation? The only major renovation would have been when the house was moved to this lot in 1974.

Shaff: we are certainly not going to compromise fire safety of people between units.

Basco: so pretty much saying even though it may fall under the code—

Shaff: that's why you would hire someone to do a code analysis of your building to provide alternative means of compliance that you would present to the plan examiners. I haven't been in your building, but looking at pictures, it has been modified quite a bit over time. I'm not seeing anything that would "grandfather" any of these life safety issues saying it is ok to continue. Even the drop ceiling in the basement. It certainly wasn't built with a drop ceiling.

Basco: not originally, but when it was moved.

Shaff: we're dealing with a lot of "possiblys" is what you are saying. It is up to you to show us you are code compliant.

Moermond: I think you are trying to make an argument in the early 1970's the fire separation requirement didn't apply or it wasn't called out at the time of the building

move. This is hard to do because it isn't clear how they were separated at the time a building inspector went through once it was on its new foundation. It was moved from 342 Bates, and from what I can determine I am struggling to believe that the basement was originally constructed to be a residential space for sleeping purposes, even in the 70's. Certainly not legally. You need to have a fire separation there and whether your architect mentioning paint being sufficient, I haven't heard of that. It could be I'm not aware, Ms. Shaff?

Shaff: there is intumescent paint that can enhance code requirements of fire separation, but that would be something for you to explore with someone and present what you're doing, and how, to the City. To submit plans basically.

Moermond: that and the caulk. I just see floorboards that would definitely need fire resistant caulk.

Shaff: it wouldn't necessarily need caulking depending on floor construction. It would be a big deal to get someone to do this. There is going to be all sorts of ways it has to meet manufacturing specifications. That's is something for your architect or designer to give you guidance on. We can't do that for you.

Basco: I talked to the Sherwin Williams representative. The concern with the lower unit is that it doesn't have all drop ceiling. Considering painting the existing drop ceiling that exists.

Shaff: you may find it easier to put in 1-hour tiles.

Basco: so it sounds like I need to still get some contractors out there, which I am trying to do. Right now the issues is I have looked up who does ceiling tiles, construction. A lot of the construction companies aren't taking on small projects. It's a big project to me trying to figure out how I can enclose working around piping and mechanical and with a resident living down there. Is it as easy as pulling the tiles and putting up new ones? Or redoing the whole grid and reconstructing the whole basement to get it 1-hour fire rated? I've called people who just do ceiling tiles or drywall, I just don't see that as an option in a basement like this where there is heating piping. It is radiant heat.

Moermond: I need to wrap this up. It seems to me your brainstorming and this isn't the best forum to do that, especially when we're setting deadlines and choosing from options. You need to flesh out your what your preferred options are and then run it by the fire inspector to see if it passes muster. I am going to put a deadline into coming into compliance. My concern is the safety of the occupants and looking at from the perspective of hazard of inadequate egress and fire separation. I understand this is Covid and we have shortages of building materials and contractors, and I know these things are money dependent and materials are priced up right now. We do need to land the plane. I'm looking at the calendar and it would be reasonable to expect resolution by October 1, 2021 for those 2 issues and the balance of the orders completed by July 1. Specific proposals you bring your fire inspector or Ms. Shaff. If you wish to object to the recommendation, which you are more than welcome to do, information on how to do so will be in the letter. I know it is not what you were looking for exactly, but I'm not willing to say it is ok.

Basco: would you provide me with Ms. Shaff's contact information? I need guidance on what will be compliant.

Moermond: you need to bring forward a proposal. They won't design anything for you. You need to bring a plan of what you want to do. Work something up with your architect and you can figure that out directly with them.

Referred to the City Council due back on 6/23/2021

29 [RLH FCO 21-83](#) Appeal of Wally Nelson, Morrow Partners, Inc., to a Fire Inspection Correction Notice at 774 CASE AVENUE.

Sponsors: Yang

Layover to LH July 6, 2021 at 1:30 pm for further discussion (of item 3). Staff to speak to building official on permit history and front bedroom use. Grant to December 1, 2021 for balance of the orders.

Wally Nelson owner appeared via phone

[no history of appeals process given]

Staff report by Supervisor Leanna Shaff: 772 case avenue was a C of O inspection conducted by Thomas on May 14. We have 7 deficiencies. I'm guessing Mr. Nelson is appealing the front room egress window.

Nelson: that's one of them. I want to talk about all of them.

Moermond: what's going on?

Nelson: I'd like to go through the easy stuff first. Number 6 talks about the upstairs apartment being unclean. If you go back to 2007 fire inspection by AJ Neis, same comments basically. With regard to 2015, same thing called out by Thomas. That leads to number 4 and 7 which is asking us to repair some ceilings and walls. Quite frankly, we cannot go in there with this woman and her son and repair this stuff because it's a disaster. I am going to want an extension. Number 5, we'll make sure that's done and send a photo. It is just a cleanliness problem and has been since the day she moved in.

Moermond: sure, a chronic issue. That happens.

Nelson: number 1, the roof is curled. I'm in the process of getting bids. Need some time on that. Same thing on number 2, we need to get the roof done before the stucco. 6,4,7,5,1,2, if you could just give me 180 days and I'm sure we'll be done.

Moermond: what about number 3?

Nelson: biggest reason I filed the appeal. 2007 when James Thomas walked through, we go back to 1998 when I pulled the permit and we did no structural changes. That bedroom has been there since the day I bought it. The porch windows Efrayn called out, they have lead weights inside the porch windows. It has been enclosed since they built the house. It has been a bedroom forever. Been through two inspections using it as bedroom, including section 8 inspections. I'd like it to be used as a bedroom.

Moermond: is there an exterior wall in that room?

Nelson: on the left and the front is the porch. On the right is the stairwell to the second floor. In and out is through porch or door to the living room.

Moermond: Ms. Shaff?

Shaff: tough one.

Moermond: your people didn't catch it. That's a long-term failure.

Nelson: I would like to point out that when we pulled the permit the building and fire inspector all approved it. Back in 1998.

Shaff: did the building inspector know it was going to be a bedroom?

Nelson: I get that but there's a closet. There always was. We never changed it. It has always been used as a bedroom.

Shaff: I am extremely uncomfortable.

Moermond: me too. We need to talk to Steve Ubl and have him look at the building permit history before we land the plane. Let's have that conversation June 29. We can go to December 1 for the balance of the orders. If we need a deadline for front room we'll say December 1 on that but let's talk again before we come to a conclusion on that.

Nelson: can I talk to Ubl about that?

Moermond: I will reach out to him and we can even include him in the hearing. I'll treat him as my advisor but we'll have him in the hearing so you can ask questions.

Shaff: I don't staff on the 29th. Does that matter?

Moermond: let's say July 6.

Nelson: same time frame?

Moermond: yes, 1:30. We'll put you at the top of the order.

Nelson: ok sounds good.

Laid Over to the Legislative Hearings due back on 7/6/2021

**30 RLH FCO
21-87**

Appeal of L. Lee Coulter to a Fire Inspection Correction Notice at 1065 EDGEWATER BOULEVARD.

Sponsors: Yang

Grant to January 1, 2022 for compliance (C of O reinstated or property sold).

Lee & Corrine Coulter appeared via phone

[Moermond gives background of hearing process]

Moermond: I did look at your file ahead of time, it seems pretty straightforward.

Leanna Shaff: this is a Fire C of O inspected by Ganzel. It has been going on for close to a year. The house is unoccupied. It has some code deficiencies. Mr. Coulter

has been clear that he wants time to fix it up to sell. Per our policy we can only hold onto it for so long. It either goes owner-occupied or gets its Fire C of O complied with. We've explained the need for the Fire C of O. I think Mr. Coulter is looking for time and not to be in the program.

Moermond: sounds fair Mr. Coulter?

Lee Coulter: yes it does. The program requires 90-day timeframe to get what we'd like to get done.

Corrine Coulter: we have had estimates from contractors. We don't know if we're going to run into the same problem with delays in materials and help, which we ran into last year. We had one contractor who said it would take a month to even get his estimate.

Moermond: for the record, both your voices are pretty quiet. I'm assuming Corrine Coulter was just speaking?

Corrine Coulter: yes.

Moermond: I'm ok with it not being occupied and it being worked on, but eventually you'll end up in the vacant building program and we'll have a different kind of conversation. For some reason I'm looking at a fire inspection correction notice.

Shaff: we revoked unoccupied in order to help them to make the decisions they wanted to make. It has been going on for almost a year, trying to assist in getting decisions made. We've just come to the point with no movement. We can't continue to hold onto the building. It would become a category 1 vacant building.

Moermond: what are you looking for today?

Lee Coulter: we are appealing the time frame.

Corrine Coulter: we'd like to get it settled. We know we are going to start on the inside to get it up for sale. I don't know what you mean.

Lee Coulter: the fire inspection correction notice dated April 21 has interior bathroom repairs and entry repairs and interior porch. But we want to do more than just that to sell it. If we just address the flooring and walls and missing tiles the 90-day time frame?

Moermond: what kind of timeframe are you thinking it will take to do the fixing you want to do?

Lee Coulter: that's the problem we are at. The problem we ran into last year was materials

Corrine Coulter: it has taken us a month just to get an estimate. How much time do we need? We're already looking at a delay in getting bids. I guess it is hard for us to say because we know we have to do the bathroom first. Then along with that we will do the porch. If we get the same contractor they can maybe do both at the same time. But we don't know. We can't answer that right now. We want some okayed permits. Whatever we are here for now.

Moermond: sounds like you need to get it together. You are experience a lot of holding

costs by not acting. Holding the building and paying taxes and not getting the benefit of the sale has costs. One of the costs is eventually going into the vacant building program. I'd like to keep you out of that. Sell it. Get renters it. It doesn't matter to me. If there aren't people living there the repairs can be given some time. That time length is between now and when the fire inspections people have to wash their hands of it. I'm going to say you have six months. Finish what you need to one way or the other. Otherwise you will be in the vacant building program. Any other comments Ms. Shaff?

Shaff I think that's reasonable. We've been working hard to get the Coulters to a place it could be repaired or sold. Having a deadline helps.

Moermond: let's say January 1, 2022. Ready to be rental property or on its way to being sold. We'll send you a follow up letter.

Referred to the City Council due back on 6/23/2021

- 31 RLH VO 21-22** Appeal of Desiree Payne to a Correction Notice-Reinspection Complaint (which includes condemnation) at 843 SELBY AVENUE and 845 SELBY AVENUE.

Sponsors: Thao

Grant to January 1, 2022 for compliance, conditioned upon the upstairs unit remaining unoccupied until deemed compliant by City inspector.

Desiree Payne appeared via phone

Dante Wilson appeared via phone

Virgie Wilson appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor AJ Neis: this is a fire inspection correction notice stemming from a complaint March 31, 2021 saying it was no longer a C of O of building because the owner is deceased. Sent a letter out to Ms. Wilson's address at 843 Selby to obtain a Fire C of O. Did an inspection April 9. We did get access to the upper unit with St. Paul Police Department. The former tenants Demetrius Boyd allowed access and it was in good condition overall. The only violation found was for a bathroom sink that had an accordion style pipe for the p trap. Send a new letter for a May 3 inspection. We had reports this was being used as an illegal nightclub. April 9 there was evidence of a party room but not necessarily a nightclub. We can't dictate how people arrange furniture. We received another complaint, and there was an incident that weekend with a large party with shots fired outside the residence. Two people were taken to the hospital. Made access to the upper unit and found it was officially converted to an assembly. They removed bed and so forth. Completely set up as a nightclub. Condemned it as an illegal occupancy. I will say that the Wilson family has been extremely cooperative and been in contact with Mayor's office, myself, and SPPD. They have worked diligently to get the occupant upstairs out and make sure it is secured from unlawful entry. They did cause cosmetic damage to the unit. Exterior also has some damage. They are working with insurance on that, as well as funding possibilities. That can't be done until it is in an owner's name. They are trying to get it into Dante Wilson's name through the probate process. I encouraged them to file this appeal.

Payne: we are trying to address 11 items on the correction notice. We are in the process of doing that knowing that number 11, Mr. Wilson's name on the estate is

essential to many of the items on there. We are working on cleaning up the upstairs. We have a dumpster coming this week from an agency. We are also in the process of getting bids for the porch to be fixed and repaired and in contact with insurance to put a claim in. We will see other methods if we can't do an insurance claim.

Neis: the home is currently occupied by Mr. Wilson and Virgie Wilson in the lower unit. Hopefully he will be on the title soon.

Payne: he has met with his lawyer and are going through probate.

Moermond: the paperwork in front of me is getting him as representative of the estate. The first step of the process. That's all good. What are the plans for the second floor now? Any intentions of moving someone in?

Payne: no, they're all saying no. They look traumatized. First is cleaning it up and get it in shape where you could even show it to someone. It is far from that right now.

Moermond: I am comfortable putting a decently long deadline on this knowing that the upper unit will remain unoccupied. That takes away any urgency from my perspective. You may be looking at not just insurance but community development assistance. Those things all take time.

Neis: I did give them several neighborhood resources for possible interest free loans as well.

Payne: yes, thank you very much.

Moermond: you got orders May 3 with a reinspection June 9, a standard one-month turnaround. As long as it remains unoccupied upstairs. What makes it tricky is as soon as Dante Wilson is a representative of the estate I would consider that owner occupied. That's traditionally how I handle that. That means you wouldn't need a Fire C of O. However there are outstanding code violations that would still be out there, and instead of Mr. Neis doing the follow up, Code Enforcement would do the follow-up. You obviously shouldn't rent the unit. If it is owner occupied you don't need a Fire C of O to rent a unit in a duplex. I know you will be handling that gingerly. Let's put six months on this, January 1, 2022 on condition the upstairs unit isn't rented unless it is found to be compliant.

Referred to the City Council due back on 6/23/2021

2:30 p.m. Hearings

Vacant Building Registrations

- 32 [RLH VBR 21-32](#) Appeal of Christina Ramirez to a Vacant Building Registration Notice and Summary Abatement Order at 854 EUCLID STREET.

Sponsors: Prince

Deny the appeal. Property to remain a category 2 vacant building and requiring a code compliance certificate prior to reoccupation. Grant to June 14, 2021 for compliance with the summary abatement order.

Christina Ramirez, owner and former occupant, appeared via phone

Moermond: we were talking the last time about a plan you were going to put together for how you were going to manage cleaning out the house.

Ramirez: I'm going to do that myself with some friends. We're going to need some time. While you put me in a hotel room for 5 days my house was ransacked. I was checking on the house daily. On the kitchen window the board was taken off and flung on the garage roof. The house was in disarray. Next time I went I noticed the kitchen window was boarded again. And my gutter was taken off.

Moermond: so your house was broken into. We talked about you connecting with your father.

Ramirez: he says fix it up and sell it.

Moermond: and have you gotten together any plans to do that? I'm looking for something. Anything.

Ramirez: we have some materials already.

Moermond: what is your ability to sell it without fixing it? Somebody seems to be breaking in. Selling it before it gets worse. Matt Dornfeld is on the line. I'm going to ask him to give a status report on where things are at.

Supervisor Matt Dornfeld: as of this morning I was contacted by St. Paul Police Officer Tharalson that they were contacted stating there are homeless people staying in tents in the yard. The grass is over a foot high and there have been continual break-ins into the home since it was vacated a couple weeks ago. Exactly what we assumed would happen. It continues to be a nuisance and chronic neighborhood complaints filter in. I think they are having fires. It is what it is.

Ramirez: it is me and I'm alone. I have nowhere to go. I talked to Officer Mike. He said I could be there today but have to be gone by tonight. I've been cooking over my bonfire. I've never been homeless. No one was around except for when I was at the hotel. I've been sticking around to prevent that. The homeless look and take whatever they want and can.

Moermond: do you own it outright?

Ramirez: yes.

Moermond: do you owe money? Did you borrow money from family?

Ramirez: from my mom. But she's been paid off.

Moermond: where I'm going with this is, you don't have any money. You don't have a job. Your ability to hire a contractor to fix it is very limited.

Ramirez: yes. It needs permits. I can install the interior doors. The five windows I need help with. I know how to nail up sheetrock and mud and tape it. There are holes in the wall that Billy did. I am no longer with him. I don't know where he's at. It needs a new toilet tank that my husband knows how to do. That's all the damages—

Moermond: this is a category 2 registered vacant building. Those are repairs that would

be on a list that needs to be done. To be sold you need that code compliance inspection report.

Ramirez: we have had inspection. We passed 3 months ago with flying colors.

Moermond: it is not pass/fail. It's a punch list of things. You are a category 2 registered vacant building.

Ramirez: what would the list be?

Moermond: I am not an inspector; I can't tell you. Spend your money getting that report before you do repairs that may or not be required. That list is required for it to be sold. Get that done.

Ramirez: I thought it had to be cleaned first?

Moermond: yes it has to be cleaned. The City code says you can be there 8 a.m. to 8 p.m. if you are doing cleaning and repairs. The police are really frustrated with you and your property and what a bad neighbor it has been. You've had hangers-on that have made your neighbors feel unsafe. That is scary to be next to. Being there 8 a.m. to 8 p.m., daylight hours cleaning, it is ok. That's the line, so you know. Camping in your yard, the police are going to have to figure out what they are going to do with that. You can't be in the house 8 p.m. to 8 a.m. There is the question of bathroom issues. A question of safe housing. Different people need to work on that than me. But that is looming over your head. This is why I'm saying I think your problem is much more pressing; the sooner you are out from underneath it the better. You have people in your life that come and undo the things you just fixed. I'm concerned you fix it and it will be undone.

Ramirez: a lot of the homeless look at vacant building as places to stay. That's why I've been on my lawn. People have been living in tents with Covid all year. No one was bothering them.

Moermond: there are Social Services and Code Enforcement people checking in every day in people with tents. Is that a fair assessment Mr. Dornfeld?

Dornfeld: that is fair. We're doing a wonderful eradicating this epidemic if you will. Every single day people are working on it.

Moermond: there are social workers and City staff hitting all of the tents they can get to. They are helping find housing. You need to be connecting with social services.

Ramirez: I just found out about Dorothy Day. I'm new to being homeless.

Moermond: we have an appeal of you being in the vacant building program. You are in the program. There is a Summary Abatement Order to remove junk and trash from property.

Ramirez: I will. I don't have a lawnmower. I've been using a saw to cut my grass.

Dornfeld: there is junk, tents, human feces in the yard.

Ramirez: what do you mean?

Moermond: that's self-explanatory.

Ramirez: where? I haven't smelled anything. I've been using the biffy in the park.

Dornfeld: maybe it is from your friends, Christina. Look on the side of the house.

Ramirez: I'll take care of that but eww.

Moermond: everything in the yard needs to be cleaned out by June 14. I will make a finding about that and present that appeal on June 16 so action can be taken on June 17 to clean the yard.

Ramirez: grass cut and yard cleaned.

Moermond: grass isn't in front of me today. You have another code compliance inspection form printed for you.

Ramirez: they are double charging me for a lot of the securing, I'm going to take a video of that.

Dornfeld: a lot of your windows were secured from the inside and the outside. That work is confirmed. You take all the video you want.

Referred to the City Council due back on 6/16/2021

**33 RLH VBR
21-36**

Appeal of Erin Marissa, Taher Real Estate LLC, to a Vacant Building Registration Notice at 276 EXCHANGE STREET SOUTH.

Sponsors: Noecker

Deny the appeal. Grant a 90 day waiver (to August 13, 2021) of VB fee.

Erin Marissa appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: Inspector Neimier found the utility enclosure in the back of the building wasn't secure and someone was living in there. He found the building was not occupied and sent it over to the vacant building division.

Staff report by Supervisor Matt Dornfeld: we did open a category 2 vacant building per that referral and confirmed it was supposed to be a category 2 vacant building per Angie Weise. When I was there the utility room was still open. I didn't see any homeless in there. The garbage had been picked up. I issued a summary abatement order to have the utility room secured, and it was by the compliance date. This is the second time into the vacant building program for Forepaugh's. They were a category 1 and got their certificate reinstated, this is kind of trip 2 down this street.

Moermond: that was back in 2019 it looks like?

Dornfeld: yes.

Moermond: and the category 2 status is because of what?

Dornfeld: I think it boils down to the illegal occupancy of the homeless person. We're

pretty far down the road when that's happening at your property.

Moermond: got it. Ms. Marissa what is going on?

Marissa: I am the person who met with you last time as well. I've been here before. We haven't found anyone inside the property thankfully. We are selling it; it has been listed a couple months and it won't be a problem pretty soon. I don't believe anyone is squatting on the property. We have a neighbor creating some havoc who is unhappy with us. They are calling and harassing us to a certain extent. I will be there and doors aren't open. We have had issues the last few years where urban adventurers are getting in the building and coming out the back door. Only one of the times I've gone for an alarm call. The cops didn't think anyone was squatting in the house. The back area, the doors were never openable. We did fix the lock on it now. we don't believe anyone was squatting. There was some junk back there no one could see expect for the neighbor. We are cleaning that out and I think that's the root of why this continually happens.

Moermond: when is the last time you had an active use of the building? An operating restaurant or tenancy?

Marissa: restaurant closed in March of 2019. We do some office work there. The water was just turned back on to do some gardening. Services hadn't been on.

Moermond: you do actually meet the definition of a vacant building. I don't know you meet the definition of a category 2 vacant building. A category 2 means you would need a team inspection. It sounds to me like we're not talking about something that bad, just the building being breached. Both are significant concerns. The program exists was because of criminals breaking in and assaulting people. I can only suggest to you that it may be in your best interest to have a security system, if you don't already. I do think you sound like a category 1 registered vacant building. I get you are on the market, looks like this came in in May. Last time we spoke I recommended a 90-day waiver. I'm happy to do that again. With things lifting maybe you won't be struggling with this much longer. Biggest thing is the vacant building fee. You have a 90-day waiver on the bill, to August 13. After that if you can be out by six months I'd be happy to prorate it.

Marissa: what do we need to do to get it out of the program?

Moermond: get it occupied. Get it in use again.

Marissa: we aren't going to reopen.

Moermond: but you want to sell to someone who would do that.

Marissa: so hopefully getting it sold in 90 days?

Moermond: yes, when it is sold and has a C of O for that use, you're out.

Marissa: I'm still confused. We aren't considering it vacant.

Moermond: I know you're not.

Marissa: we won't open another business. If it takes six months to sell?

Moermond: you'll have a full year's vacant building fee.

Marissa: got it. That makes sense.

Referred to the City Council due back on 6/23/2021

- 34** [RLH VBR 21-33](#) Appeal of Kenneth D. Burnett to a Vacant Building Registration Fee at 329 LAWSON AVENUE WEST.

Sponsors: Brendmoen

Layover to LH June 15, 2021 at 2:30 (PO unable to be reached). Allow permits to be pulled.

[tried calling at 3:19 pm at x6038 on June 8,2021: unable to leave message]

Laid Over to the Legislative Hearings due back on 6/15/2021

- 35** **RLH VBR
21-34** Appeal of Ibrahim Elemo to a Vacant Building Registration Renewal Notice at 95 LITCHFIELD STREET.

Sponsors: Thao

Deny the appeal. Grant a 90 day waiver (to August 10, 2021) of VB fee.

Ibrahim Elemo appeared via phone

[Moermond gives background of the appeals process]

Staff report by Supervisor Matt Dornfeld: this is a category 2 vacant building on June 8, 2016. The property did go through our sale review process and was approved to the appellant on June 27, 2018. Currently we have a code compliance inspection and all permits are on file. We haven't had a nuisance complaint for over a year. I'm guessing he is here today to discuss the vacant building fee that is coming due shortly.

Moermond: sounds like you have things underway, how close are you to being done?

Elemo: I think we'll be done in a couple of months. We are planning to get it done sooner except that the code compliance report came 5 months later than we expected. I'm hoping this summer it will be completed because the inspectors have been coming and seen the work in progress.

Moermond: that's great. I'm going to put a 90-day waiver in your file and note you can continue to pull permits without paying the fee. That is to August 10. If it takes longer to get done, I'm going to happy to prorate that fee. It will get processed as an assessment, but definitely appeal that and we can prorate it and get it down to size.

Elemo: will you be able to take into consideration the fact that the code compliance took 5 months because of Covid delays? We actually applied in August with Reid Soley and it took five months. We wanted to start basic work but were told we couldn't do anything. We had permits and they told us we should not do anything.

Moermond: it looks funny to me. You've been in the program 5 years. The timing question becomes dicier when you've let things go on that long. You purchased 2017

from Wells Fargo.

Elemo: we had a contractor we paid \$40,000 to, based on the City's requirement we use a licensed city contractor. We made upfront payments and he didn't do the work. That was why. It took us years.

Moermond: I did want to say I just found your request for a code compliance inspection. You filed the paperwork August 24, 2020 and the inspection report was issued September 25, 2020.

Referred to the City Council due back on 6/23/2021

**36 RLH VBR
21-37**

Appeal of Don Maietta to a Vacant Building Registration Renewal Notice at 141 WINIFRED STREET WEST.

Sponsors: Noecker

Deny the appeal. Grant a 90 day waiver (to September 18, 2021) of VB fee.

*Don Maietta appeared via phone
[Moermond gives background of hearing process]*

Staff report by Supervisor Matt Dornfeld: we received a vacant building registration form and a check for the fee back in June of 2020. Basically stating the property was vacant and the bank was registering it as such. We have been there over the last year 14 times and each visit Inspector Gavin documented it as vacant and secure. One tall grass and weeds complaint in May. The property was found in compliance on reinspection. Category 1 vacant building due to receiving the registration from ownership.

Moermond: and it is due for the fee May 2021 through May of 2022.

Dornfeld: yes.

Maietta: I am aware of what Mr. Dornfeld said. We were not the owners, we redeemed out of foreclosure. The former owner died many years ago. It sat vacant for a long time. I'm a lifelong St. Paul resident and a 40-year real estate broker. We rarely buy anything to be rental. We buy, renovate, and resuscitate. We closed on this property April 2021. At the time part of the fee was reimbursing the fee. They had paid the fee. Our intent was to renovate quickly and sell. We started by cleaning it out. It was filled with personal property and the garage was full to the rafters. I spent 2 days there hauling loads out. We decided because of the amount of work we weren't equipped at this time. Covid has caused strain on finding people to do the work. I put the home on the market and we did sell the property. Shazad Ramey is a large investor and has the ability to get it renovated and resold. I'm being told he will start in the next few weeks and will be done by the end of August. We are trying to be good citizens. All our contractors were out months for their ability to help us. We couldn't help as quick as we wanted to. The home won't be vacant much longer. It will be immediately renovated. I understand the need for the fee. I'm a big fan of not leaving homes to rot. We all have the same goal. If it was going to be vacant another year I'd understand. I vetted him before I sold.

Moermond: I appreciate where you are coming from. Sounds like things will move quickly. It's a category 1. This fee starts May 19, a 90-day waiver till take you through August 19, 2021. He may or may not be able to finish in that time, but it will be a

complete waiver and no fee if the work is done in that period. If it isn't, it will be processed as an assessment, and he should appeal that so I can prorate it if he is done in six months. I can't say it shouldn't have any fee at all since it's a prospective fee. He is familiar with the appeals process.

Maiette: I think you mentioned May 18. The renewal date is June 18.

Moermond: you are correct. I was using the date the letter went out. My apologies, you are correct, so that would mean September 18.

Maiette: I think that's reasonable.

Referred to the City Council due back on 6/23/2021