



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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Tuesday, August 17, 2021

9:00 AM

Remote

Special Tax Assessments

9:00 a.m. Hearings

- 1 [RLH TA 21-296](#) Ratifying the Appealed Special Tax Assessment for property at 1297 SEVENTH STREET WEST. (File No. VB2109, Assessment No. 218815) (To refer to September 7, 2021 Legislative Hearing)

Sponsors: Noecker

Layover to LH September 7, 2021 at 9 am for update on building vs. full Code Compliance Inspection. (CPH September 14)

Marlene Barrett, owner, appeared via phone

Moermond: we left the conversation with the house needing a cleanup and doing an assessment of it being a Category 1 or Category 2 Vacant Building. Our staff went out and did an assessment of the exterior and I'm wondering where you are at with the cleanout?

Barrett: we are almost done. We have done the basement, the attic, the upstairs. We are finishing up the dining room and the living room and the things being sold are being moved to the garage.

Moermond: the garage will need to be inspected too so the garage can't be full either.

Barrett: so we can't have things there for a sale?

Moermond: what is your position on registered Vacant Building and garage sales? How would you handle that?

Staff update by Supervisor Joe Yannarely: according to the statute that would be a use of the building and wouldn't be allowed.

Moermond: could it be construed as part of a clean out?

Yannarely: I would leave that to your discretion.

Moermond: when you were going to do this?

Barrett: I'd have to check with Jim, my realtor. We've been moving the stuff out and getting tables put up in the garage. We do know that we are fixing the steps in the front and putting the railing back up. I had no idea someone already came out and checked the outside.

Moermond: yes, that happened.

Barrett: I thought I'd be notified.

Moermond: someone is out there every two weeks as being part of the Vacant Building program.

Barrett: oh, I didn't realize that.

Moermond: that's part of the services of the Vacant Building program.

Barrett: I've never seen anyone when I've been here.

Moermond: that's not unusual. You are probably just not crossing paths. They go, make sure no doors or window are open, no dumping in the yard. A quick routine check and while they were there they took some exterior photos for our benefit.

Barrett: sure.

Moermond: with respect to the Vacant Building fee, I'm thinking you're stuck with it and I'm thinking at least half the fee. As far as getting out of the Vacant Building program; we talked about what would be necessary to get it reoccupied. The exterior alone makes it qualify for a Category 2 Vacant Building. But there's a middle ground of a "building only" inspection. That's if the plumbing and electrical don't look bad. With respect to the fee I'm going to say we're looking at half and that's if things get done quickly. The other thing is how do you get out and I think we need to have our building inspector, Nathan Bruhn, do an assessment of whether it should be a building only code compliance or full. I don't want to make that decision not having been inside and he's the professional. That's cheaper and less in-depth. We are at six and a half months of a Vacant Building fee and I'm not seeing daylight of you even getting the exterior done within six weeks.

Barrett: yes, it is hard to get people to come and do anything. If you could tell me what the violations on the exterior are, I know we have to fix the steps and the railing. We took the railing off.

Moermond: I can ask Mr. Yannarely to give his general observations, but we'd legally rely on the building inspector's statement.

Yannarely: I wasn't out there, just looking at Inspector Gavin's photos. Roof looks like it needs to be replaced, window missing, steps in terrible condition. I agree that Nathan at least do a walkthrough to determine whether or not it needs a full code compliance.

Barrett: the window on the front porch? The rest of the house has no broken windows. We took the ones off the porch to have them redone. We have half of them done. We took the railing off to fix the stairs. I know those things are things we are working on.

Moermond: so those were triggering the Category 2 status at least building wise. I have a Vacant Building fee covering late January 2021 through January 2022. We are 7 months into that 12-month billable period. If we're six months in a could reduce it by half. We are beyond that and it will be at least another 2 months, that puts you in 9 months. I'm going to recommend approval. I don't know if you can move more quickly.

Barrett: if you could even give us an extra week.

Moermond: you aren't getting out of the Vacant Building program without him doing the walkthrough, and that can't be done in a week. You can't get the list and get contractors and pull permits. You are looking at selling?

Barrett: yes.

Moermond: it wouldn't be useful for me to make it payable over a couple of years because it would be handled at the closing anyway. We are six and a half months in. This goes to Council tomorrow. I can give you another month and cut it in half.

Barrett: we can do it.

Moermond: I will cut it in half if you can do it. I'll ask the Council to look at this again September 14 and if you are done then, I'll cut it in half. Remember if Inspector Bruhn says there are trades items too you have a whole other situation.

Barrett: when will he come look?

Moermond: you need to do that. We'll email him about doing a building inspection. We can email you the form, pay for the regular building only, but it will go up if it needs the full inspection.

Yannarely: the total is \$487 for the full one.

Moermond: we'll let Nathan Bruhn know to anticipate that application from you.

Barrett: can I still keep moving things to the garage for sale?

Moermond: I'll speak with the City Attorney about it, I think we can consider it part of the cleanup. I don't know the condition of the garage so I'm not crazy about having people in the garage, but if it is in the driveway it should be okay. We could put parameters on it, 3 days, between 8 am and 8 pm and that's it. You let me know what those days are. You have to be off the property outside of those hours too.

Referred to the City Council due back on 9/7/2021

10:00 a.m. Hearings

- 2 [RLH TA 21-362](#) Ratifying the Appealed Special Tax Assessment for property at 77 COOK AVENUE WEST. (File No. J2110E, Assessment No. 218313) (Amend to delete)

Sponsors: Brendmoen

Delete the assessment.

No one appeared

Moermond: this is an Excessive Consumption fee. Mai, we've dealt with this property before and this is the same situation as the case before because he was in half the duplex?

Mai Vang: Ramsey County has 79 Cook and notices only go to 77 Cook. He hasn't been receiving the orders because they only go to tenant at 77 Cook even though it was addressed to him.

Moermond: so we didn't meet our obligation of notifying the owner of record with Ramsey County so I will recommend deletion.

Referred to the City Council due back on 8/18/2021

3 RLH TA 21-365 Ratifying the Appealed Special Tax Assessment for property at 1058 MATILDA STREET. (File No. J2124A, Assessment No. 218543)

Sponsors: Brendmoen

Reduce assessment from \$462 to \$175.

James Berka and Karen Mohrlant, owners, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a Summary Abatement Order was issued May 11, 2021 to occupant and owners at same address to remove and dispose of tires from behind the garage by the alley. Compliance date of May 18. The tires were still there on reinspection May 26. The work order was done May 27, 2021. The total assessment is \$462. There was no mail returned and the video shows the tires behind the garage. The only history is a dumping complaint January 15, 2021 and tall grass and weeds June 10, 2019 which was fine. The area does have a history of dumping.

Moermond: why are you appealing today?

Mohrlant: we definitely have a problem with dumping. We are on the corner and have stuff left in the alley frequently. The tires were dumped, they weren't ours. We noticed them a few days earlier and started working on options to get them taken care of. After getting the notice my husband contacted the inspector and he told us he'd give us some time since they were dumped and tires are hard to get rid of. We never got a new deadline, and then suddenly the tires disappeared. We do have a neighbor who does mechanic work so we thought maybe he took them. We didn't know what happened until we got the assessment notice. It was suggested by a number of people to kick them into the alley and call DSI to take care of it, we said that's not right and it is our responsibility. We're frustrated we contacted the inspector and were not given any deadline or further notice. Then we got charged what feels like large amount. We don't have a vehicle to fit four tires in take them somewhere. We were going to have to arrange to borrow a car, we did call the trash company who said they couldn't deal with it. We feel the amount is unreasonable because of those circumstances.

Berka: I spoke with him a week before they disappeared. I moved them from the alley to the side of my garage to make it easier to pick up. I was trying to deal with it, if you watch the video they aren't even the same place. We both work full time and kids at home from school due to Covid. We aren't trying to make excuses, but this happened

very quickly.

Moermond: Mr. Berka, you said you spoke with the inspector, Otis Warner about the situation?

Berka: I left a message right after getting the letter around the 13th. He got back to me early the next week and that's when I spoke with him and he assured us he would give us time to deal with it.

Moermond: and you spoke with him in person when he called back?

Berka: yes, he spoke with me.

Moermond: Ms. Martin, what is your perspective?

Martin: when we do have dumping they are on the property in the photos. He did give them an additional week, we used to give only four days. They had quite a bit of time to get rid of them. The last picture of 26th they are stacked by the garage on the driveway; they were moved. The work order wasn't until May 27. The orders were written May 11 which is a lot of time to deal with it.

Berka: we disagree with that standpoint for sure. That is not a lot of time.

Moermond: I want to give you credit for reaching out the inspector and getting an extension. I understand the communication wasn't clear on how that extension would last. I wasn't in that conversation. Moving the tires for easier pickup does indicate you were acting in good faith, but the job wasn't done. I would recommend the Council decrease it from \$462 to \$175. That is something, but not nearly as much as what you are looking at right now. Hopefully that helps. If you want to ask more from Council you certainly can. There is information on the notification for this hearing.

Berka: we agree with that and appreciate that. We always intended to pay something. Let's just do that.

Referred to the City Council due back on 10/6/2021

- 4 [RLH TA 21-295](#) Ratifying the Appealed Special Tax Assessment for property at 1880 OLD HUDSON ROAD. (File No. J2110E, Assessment No. 218313) (Legislative Hearing on August 17, 2021)

Sponsors: Prince

Approve the assessment.

Hamadeh Abumayyaleh and Samir Abumayyaleh appeared via phone

Moermond: in our last conversation we had both you and your father on the line.

Abumayyaleh: we are going to do the paperwork today.

Moermond: I'm not accepting an appeal anymore, I needed it by today. Let's get your father on the line.

[Samir is added to line]

Moermond: we were discussing an Excessive Consumption for noncompliance with orders from 2020. It was my direction and request that if you wanted to have it considered you could do parking here that an appeal would be filed by today to discuss it with this tax assessment. I haven't received one. I don't have a plan. I did follow through on my end and talk to the Building Official about how it operates with building permits and parking on construction sites. The order that was issued that this Excessive Consumption is based on was issued correctly. Again, it is passed its appeal time period. Your next step is to work with the building staff about what kind of parking can be there. It probably can't be leasing purposes. The only thing in front of me is the Excessive Consumption for noncompliance with the July order and there does appear to be no compliance and the Excessive Consumption was issued correctly. That's not the biggest bill in the world, \$279 for the two occasions. But you need to work with DSI staff to see if there is something they would find acceptable or not.

Hamadeh Abumayyaleh: can we file it today?

Moermond: I won't accept it now. I did say I would if it was done by today. I have nothing to hang my hat on. It is better at this point to deal with the Department.

Samir Abumayyaleh: I do have some good news. We have figured out a solution for parking. It isn't a cheap solution, but we are landing a deal with the lot across the street from Capital View. Hopefully this week we will acquire the lot for parking.

Moermond: that sounds great and will resolve the problem moving forward.

Hamadeh Abumayyaleh: we're paying 60 million on the property alone.

Moermond: and I'm thinking \$279 is the same fee for a Single-Family home as a major apartment building. I can't treat you differently

Samir Abumayyaleh: the actual bill is over \$3,000. We get one every month.

Moermond: I only have \$279 in front of me today. If you want to appeal the other ones we can talk about them.

Samir Abumayyaleh: will the rest be waived?

Moermond: I don't have those in front of me. I'm just looking at January 20, 2021 through February 19, 2021 with the two occasions of inspections with noncompliance. The other dates would be forthcoming assessments. They aren't in front of me now so I can't make any statements on those. When you get those you can appeal them if you want to. I just can't give you an answer if it isn't my agenda.

Samir Abumayyaleh: if we do the assessment today we pay \$297?

Moermond: I'm recommending the Council ratify this assessment in front of me. I can't make a statement on any other violations.

Hamadeh Abumayyaleh: for all the tickets from A to Z on the property, we can't to come to a solution. If you feel like we're trying to be treated unfairly or better than anyone else that's your way to view it. We want to cooperate with you, but like you said, if you aren't going to accept it and put it through fine. We'll do an appeal. We have a big building. We want St. Paul up and coming for new ventures. If this is your

biggest concern with Covid.

Moermond: I can only legally deal with what is in front of me. The next step is to talk to Council about it. We can email that information as well. It does go to Council tomorrow so you would need to do it pretty quickly.

Samir Abumayyaleh: so for tomorrow?

Moermond: you send an email to my staff and we'll flag it as contested. Sorry I couldn't be more helpful. It is too old of a problem. I do wish you well.

Referred to the City Council due back on 8/18/2021

5 RLH TA 21-359 Ratifying the Appealed Special Tax Assessment for property at 603 VAN BUREN AVENUE. (File No. J2124A, Assessment No. 218543)

Sponsors: Thao

Continue PH to February 16, 2022. If no same or similar violations reduce assessment from \$506 to \$200. If there are violations, reduce assessment from \$506 to \$300.

Nikita Finley, occupant, appeared via phone

Moermond: what is your role with the property?

Finley: I'm the tenant.

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: April 23, 2021 a Summary Abatement Order was issued to occupant and the owner on Edmund Ave. This was regarding overflowing trash and litter on the ground and a sofa in the rear yard. Compliance was April 28. The sofa was still there on May 11, work was done May 17 for a total assessment of \$506. No mail was returned. There is a history at the property. Garbage in 2020, two instances, both abated by the owner.

Moermond: I'm assuming the landlord told you that you have to pay it?

Finley: my son's birthday was the 25th and we had a party that's why that trash was there. I wasn't aware my couch couldn't be out there. I removed the trash and left the couch because I didn't pay attention to the letter. I went back when the second notice came for the payment on the couch. I didn't know I couldn't use it. I have one on my porch and one in my yard with a table and chairs. I didn't know that was a City ordinance. My son had a party so I had that trash, it was overflowing. I have a small container that all the trash didn't fit in. There were bags outside the trash. The animals probably got into it. I did remove the trash, but not the couch. I wasn't aware I couldn't use it in my yard.

Moermond: I'm looking again at the video. It looks like we're talking about the couches and it is confirming the garbage was removed. How long is your lease for?

Finley: a year, but I'm not planning on moving. I just moved here.

Moermond: I'm asking because in cases like yours I can look at maybe doing an extension if you have no same or similar violations at a future date I can reduce it by a

certain amount. Before I lock something in, Ms. Martin, any future violations since April?

Martin: no, no history here. She would be a good candidate.

Finley: it was honestly just a birthday party.

Moermond: and for your background, this is padded furniture that is meant for the interior. It is not meant to be rained on and it can harbor rodents. I'm looking at \$506. Are you planning on being there six more months?

Finley: yes, my lease is over the end of this month, so I'll be renewing. I don't plan on moving.

Moermond: I'm going to ask the Council to continue your case to February 16, 2022. If you have no same or similar violations on that date, if you've been maintaining the property, I'll recommend it is reduced to \$200. If you haven't been maintaining it I will recommend it is decreased to \$350 since you partially addressed it. You'll save \$150 more if you keep it taken care of. Shovel the walk, mow the lawn, don't have garbage in the yard. If someone calls in and it isn't valid when the inspector goes out it doesn't count. Your landlord shouldn't charge you until February, and hopefully we'll get it down to \$200.

Finley: I tried to call after I got that second letter but she said it was already going to court.

Moermond: right.

Referred to the City Council due back on 10/6/2021

Special Tax Assessments-ROLLS

- 6 RLH AR 21-81** Ratifying the assessments for Property Clean Up services during May 6 to 14, 2021. (File No. J2123A, Assessment No. 218542)
Sponsors: Brendmoen
Referred to the City Council due back on 10/6/2021
- 7 RLH AR 21-82** Ratifying the assessments for Property Clean Up services during May 14 to 28, 2021. (File No. J2124A, Assessment No. 218543)
Sponsors: Brendmoen
Referred to the City Council due back on 10/6/2021
- 8 RLH AR 21-83** Ratifying the assessments for Equipment and Labor for Clean Up service during May 2021 at 0 Westminster St (322922220098). (File No. J2125A, Assessment No. 218545)
Sponsors: Brendmoen
Referred to the City Council due back on 10/6/2021

11:00 a.m. Hearings**Summary Abatement Orders**

- 9 **RLH SAO** Appeal of Mavis Fry to a Summary Abatement Order at 887 CONWAY
21-64 STREET.

Sponsors: Prince

Grant the appeal of the August 6, 2021 orders.

Mavis Fry, owner, appeared via phone

[Moermond gives background of appeals process]

Fry: did you receive the picture I sent you all?

Moermond: I do have a picture, yes.

Fry: ok, I just wanted to make sure before we went further.

Staff report by Supervisor Lisa Martin: August 6, 2021 a Summary Abatement Order was issued to Ms. Mavis Fry on Conway and occupant to remove carpet and sofa cushion by the alley. Compliance date of August 13, 2021. Little history at the property. Garbage October and November of 2020 and May of 2021.

Moermond: so a chronic situation of dumping it sounds like, Ms. Martin?

Martin: yes, a report of dumping in the alley in 2018, and again the carpet and cushion look like dumping, but it is on her property

Fry: first of all, I am the one who called. So if I felt it was my responsibility I would never have called. I wouldn't turn myself in for something I have to fight for. This is a chronic situation. It is not only behind my house; it is on the boulevard in front too. There was a Summary Abatement Order for a dresser I also called in. That one I chose not to fight and I got rid of myself. It happens because the 2 garages there that are door to door and neither of us can see from our house. It is an ongoing situation. I'm getting to be 60 and I have owned it for 20 years. It is getting to where I cannot remove this stuff. I have some other concerns. When Mr. Will called me back, I work second shift. I'm in the parking lot now. He called me at 7 am. That's not even business hours. I am not going to be able to get rid of this stuff anymore. I don't walk well. I'm fighting this out of the principle this time. I could have put in the trash and been done. I could have also let Waste Management use my bulky pickup items. But my deal is why am I getting rid of everyone's garbage? That's what I'm here to address. I don't have the answer. That carpeting is not on my property. It is definitely in the alley. I feel like I'm getting targeted here. This one I called in myself. I called at 2:08 in the afternoon. My husband and I own motorcycles and we can't get it out when people do this. I am extremely frustrated that I feel like one, I'm not being heard when I call the City and two, I have to pay to appeal this. That doesn't sit well with me. I had to pay for parking when I went down to appeal. I don't know if you've tried to park down there lately, but that is not an easy thing. Luckily I had my scooter in my car and I'm going to tell you the doors don't even open when you hit the handicap button. As a citizen for

30 years, I am really frustrated. I don't understand why I'm not being heard. This cost the \$25, the \$9 in parking and I have pictures in case you didn't receive them because I am not technologically intelligent. I wasn't convinced my email went through. What more can a homeowner do? I'm blonde and I don't understand this.

Moermond: I'm very sympathetic you are the one who called this in. I get it is a chronic situation. I know one of the main reasons the City looked into garbage hauling was to decrease the dumping since everyone has the bulky items. It sounds like in your area you continue to be victimized and that sucks and I'm very sympathetic to that. I wonder, in terms of filing the appeal, it could have been done by mail or electronically as well.

Fry: no one told me that. No one said I could do it online. I would have been happy to do that.

Moermond: you could have had to call the office to find that out.

Fry: when I talked to Will that morning he insisted if I wanted it taken care of I needed to come down and do it myself. He wasn't sympathetic and I wasn't going to say I was really even awake. I work at a group home and take care of vulnerable adults late into the evening. When I'm woken up at 7 am I am not the most awake person.

Moermond: I would like to learn more about your garage situation. From the photos you submitted and that the City took, it looks like you have a lot of ivy growing around that area.

Fry: yes.

Moermond: and the grass between the driveway apron and alley doesn't look particularly kempt. Those two things together are magnets for trouble. What it does is gives the impression no one has eyes on it. You were just telling me you and your neighbor's vision is blocked. Do you have electric in your garage?

Fry: I do.

Moermond: have you considered a motion detector light on the alley side?

Fry: there is in the driveway where I don't park because my car has been vandalized. It is on all the time, and never shuts off. I'm not sure how well it would work for the front of the alley.

Moermond: I'm thinking of the area where the dumping happens. We often suggest motion lighting, signage, and cameras. Those things coming together act as deterrence and that's the best advice the City has about dumping. In your case I am going to see if Public Works would give us a grace and do a pickup on this for you. On your side I'm wondering if you could take a couple of those steps and "harden yourself" as a target. Would you be willing to do that?

Fry: I can see about getting a solar light out there. Something that would come on using the sun. It is an extremely old garage. The house was built in 1874. I'm not sure how far the electricity goes into the garage. It may just go to the lights on the driveway and inside. It is an old property. I can tell you today someone put a tire out there. I said, oh, isn't that wonderful.

Moermond: where are you at with cutting things back and signage?

Fry: we can try.

Moermond: I want a handshake. I'll say I'll get Public Works to do the pickup and you say you'll take steps to make it harder for people to vandalize your property. Cut brush back. Lighting. I really appreciate the feedback that you had trouble filing the appeal. Was that the Kellogg side?

Fry: Kellogg, yes.

Moermond: I'll follow up with building services on that. A trip to the hardware store for some signs and trimming the area back would do you a world of good. Ms. Martin, am I missing anything?

Martin: we ask for a no dumping sign. Otherwise, solar or any type of light would be excellent.

Moermond: the cost of the cleanup we will get addressed somehow with a favor from Public works. I'm sympathetic you called this in and it went this way for you. I hope we can get some things addressed so people don't look at it as a good victim property and keep driving by.

Fry: I don't know what to say. My fear is that the older I get, the more this will be an issue.

Moermond: a lot of people transition to a place where they get help with taking care of the yard. That's up to you on how you want to handle it. I think the overgrowth is really a signal to people that you aren't keeping eyes on that area. If you make it look like you are through those steps, I think it will help. I will grant your appeal today and I am asking for a handshake you take some steps to make it harder in the future.

Fry: sure.

Referred to the City Council due back on 9/1/2021

**10 RLH SAO
21-63**

Appeal of Joseph Dalbec to a Summary Abatement Order and Vehicle Abatement Order at 913 JOHNSON PARKWAY.

Sponsors: Prince

Grant to October 1, 2021 for compliance with the August 2 summary and vehicle abatement orders.

Joseph Dalbec, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: August 2, 2021 a Summary Abatement Order was issued to occupant and Joseph Dalbec to remove the deteriorated shed and contents from rear yard, trash, and miscellaneous debris. Compliance for August 31. Photos are attached to the file. Also a Vehicle Abatement Order issued August 2 for a black jeep with unknown plates, appears inoperable and parked on an unapproved service. There was also a blue van.

Dalbec: it is gone now.

Moermond: whose vehicle was that?

Dalbec: the blue one is gone.

Moermond: I was just asking who it belonged to?

Dalbec: I don't know, someone my son knows.

Moermond: what is your son's name?

Dalbec: Steven Dalbec.

Moermond: does he own the black jeep too?

Dalbec: it isn't ours. The blue one was gone.

Moermond: when did that go?

Dalbec: the same day.

Moermond: got it. The last time we talked we had the yard cleaned up except for the shed. We were going to have new orders on the shed to make it clear on expectations. Between then and now the yard got messy again.

Dalbec: yes, because of our son. I try to do something and he tells me to go in the house. He sleeps out there. He doesn't sleep much.

Moermond: are you able bodied? Can you do it?

Dalbec: I broke my ankle and lots of bones and I have a bad heart.

Moermond: so it is hard for you to manage and your son is filling up the yard.

Dalbec: my significant other is scared to death. He blows up really easy.

Moermond: what is her name?

Dalbec: Marles Olson. We've been here 42 years. We pay our bills.

Moermond: right. So we have your son making a mess, you say he sleeps there? In one of the vehicles?

Dalbec: he usually is up all night out there. Just outside.

Moermond: does he come inside at all?

Dalbec: yes.

Moermond:: what is that like?

Dalbec: he comes in yells and goes upstairs. It is good.

Moermond: so he has a room in the house he spends time in?

Dalbec: yes.

Moermond: do you have any financial arrangements with your son? Does he pay rent?

Dalbec: no.

Moermond:: does he get money from you?

Dalbec: no.

Moermond: so he's just living there and he scares you.

Dalbec: yes, he yells. I don't argue with him. I'm just quiet.

Moermond: how are you doing in terms of your ability to do grocery shopping and keep the house up inside? Are you managing?

Dalbec: yes.

Moermond: you can do those things?

Dalbec: yes. my girlfriend cleans and I do the shopping.

Moermond: so he has a bad temper. Is it related to a mental illness? Drugs?

Dalbec: not to my knowledge. I don't know what's going on. The thing is, yeah, he's like that.

Moermond: do you feel like he's taking advantage of you at all?

Dalbec: yes.

Moermond: one of the ways is he's made a big mess in the yard the City has had to write orders on again.

Dalbec: we're 62. We are in our last years and he should not be like this.

Moermond: last time you got everything cleaned up. Can you do that again, and get rid of the shed?

Dalbec: I don't know about the shed. Yeah. Yard cleaned up.

Moermond: I know that is something you'll need help with from your description. Did your son help last fall?

Dalbec: he did good for a while there yes. He is a hoarder.

Moermond: that is hard. Does he hoard inside or just outside?

Dalbec: just outside.

Moermond: right now the order that went to you gave you a month to clean it up and get

rid of the shed.

Dalbec: it is not happening like that.

Moermond: that's a little fast for your guys. But it will have to be cleaned up again and the shed has to go. It isn't safe. I'm wondering if I push the deadline to the end of September?

Dalbec: we may need longer than that. we got to get him out of here. He says if you do something, once you do it you can't come back.

Moermond: tell me more.

Dalbec: once he goes he can't come back because I don't know what he will do.

Moermond: inside the house is clean and you have food and you can take care of yourself and he isn't taking money, just scaring you and Marles? Are you frightened for your physical safety?

Dalbec: today we got into it and he accused me of throwing welder stuff out. I said I don't do that. Why would I do that when I'm trying to help him?

Moermond: right. Well, I'm going to ask the Council to give you a deadline October 1, 2021. Then I'll ask Ms. Martin if she can send someone to look on October 4th to see if it is done.

Dalbec: is there anyone I can call to help us? He thinks he is the authority. He likes to take over.

Moermond: the only people the City can send are its own people and that will have a charge. I don't know of anyone else.

Dalbec: too bad we can't get longer than that.

Moermond: I feel that's a generous length of time. Your son has the ability to take care of business. I think it is plenty of time.

Dalbec: he broke his leg riding a bike in the wintertime. That's not right. Goofy.

Moermond: a little goofy. Today is August 17, so on September 1 I'm going task them to give you to October 1 to get the yard cleaned up. We'll send you a letter confirming this and in that letter we'll tell you how to do it if you want to ask the Council for more time.

Dalbec: I got a Jeep.

Moermond: the Jeep has to go. Same deadline.

Dalbec: I have a Jeep Cherokee 1998 that is mine.

Moermond: is it black?

Dalbec: no it is gray-silver.

Moermond: no problem with that one. I have a note on a black one.

Dalbec: we built this beautiful shed and the next day he tore the siding off and decided to build his own shed.

Moermond: it doesn't look safe.

Dalbec: I am hoping a bad storm comes and knocks it down.

Moermond: if a storm doesn't the City will.

Dalbec: what happens then?

Moermond: they come up with a bill and it goes to your taxes, which we could talk about later. If it doesn't get cleaned up, the City will with a big bill attached. That goes in the property owner's name.

Dalbec: ok.

Martin: I want to make sure he is aware if the City removes the shed they will remove the contents as well and dispose of everything.

Moermond: so anything of value in there goes too.

Dalbec: if we could get a different shed that would be something else.

Moermond: yes, a sound structure is a different deal.

Dalbec: maybe move it on the other side.

Moermond: what you have now doesn't work. You'll need to talk to your son.

Dalbec: I did tell him the shed has to go yesterday.

Moermond: and do you feel like you're in physical danger ever? Or just verbal abuse?

Dalbec: verbal abuse. We did get into it today. But my girlfriend says to calm down and then we do. I calm down.

Moermond: the making finding hearing will be October 5. Council Public Hearing October 13.

Referred to the City Council due back on 9/1/2021

Correction Orders

11 RLH CO 21-6 Appeal of John Knowles to a Correction Notice at 447 BRIMHALL STREET.

Sponsors: Tolbert

Grant to September 17, 2021 for compliance.

John Knowles, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: I had a complaint regarding a tiny house on the property. I went out and took photographs of the house/trailer. I spoke with him onsite and told him he would be getting a correction notice. He's been very cooperative. That went out July 27 to discontinue the use of the house and remove it from the property. I had a compliance date of August 27 and encouraged him to file the appeal.

Knowles: yes, I did enclose a letter with my appeal. Basically what happened was I was contacted by a young couple inquiring about parking their house. In hindsight I should have asked the City and found out the rules but I thought Snelling was designated as a high-density corridor and they allow people to have residences above garages in parts of the City now. She is a traveling nurse with a contract at HCMC during Covid and my thought was I have an RV I had been parking on this slab by my garage. I was going to move that anyways, so I thought I would help them out. They are hooked up with my garden hose and they have solar panels and a composting toilet. They dispose of their blackwater via compost in the trash. The gray water, which is minimal, is filtered through a sand canister they have and then it goes to my garden. I did contact my neighbors and mentioned this and everyone was fine with it. Because it is unusual and we are kind of a commercial corner. Everyone who has said anything has been positive as far as the response. They are quiet and model citizens from that standpoint. My thinking was maybe it would be ok to go ahead with it. They do have a contract to work through October 23 for her. I was hoping that was possible. They would have to find somewhere else for it to go. For them, and for her to finish their commitment, I was hoping they would do me and them the favor of extending to November 1.

Moermond: right now the City doesn't allow tiny houses for residential purposes. This isn't the same as an RV. This is a different breed of cat entirely. I can say Minneapolis takes a different perspective, so she may have more luck there. Because they have said no at this time, I don't feel like I can change that. I can give an extension, but I won't go to November 1. That is too long, it would basically be saying the policy doesn't matter. I can't give you a mulligan on it. I'm going to recommend the Council gives to September 17. I know that's not what you want. This will go to Council September 8. If you want to submit additional testimony to the Council you can do that. Your letter you've already submitted is already attached. The City Code has said this isn't acceptable. That gives her time to find someplace else. Deadline for removal of September 17.

Knowles: ok, and the Council reviews on September 8? And I'll get something in the mail?

Moermond: yes. we sent them via email.

Knowles: yes, I check that. Even if I do try to talk to the Council into extending it wouldn't find out until the 8th, and I would I'd have to vacate by the 17th?

Moermond: yes.

Knowles: I see. And if it is not out by the 17th there are fines?

Martin: because it is on a trailer we would probably have a vehicle abatement to tow it off the property. We could also fine it for Excessive Consumption for noncompliance. We hope we don't have to do that.

Knowles: no, we won't go down that road. I was just curious. We'll get it out of there. I'll talk to them.

Moermond: I'm sorry it wasn't what you were looking for.

Knowles: I understand. I appreciate you giving to the 17th. This gives us time to figure something else out.

Referred to the City Council due back on 9/8/2021

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 12 [RLH VO 21-31](#) Appealing a Notice of Condemnation-Unfit for Human Habitation-Order to Vacate by Nichole Ruiz to at 666 ARLINGTON AVENUE EAST. (Legislative Hearing on August 17, 2021)

Sponsors: Yang

Grant to September 17, 2021 for compliance with remaining items on orders. Note that item 21 must be completed by a licensed exterminator. Property is now owner-occupied and will be transferred to Code Enforcement.

No one appeared

Voicemail: This is Marcia Moermond from St. Paul City Council. I have had a chance to review the Inspector's report on the follow up of the work plan you submitted. It sounds like you are more or less following that work plan which I have confirmation of. They also indicate that Ramsey County taxation now lists you as the owner, which is great. I'm going to recommend that you be given the deadlines outlined in your work plan. I do note we still do not have any exterminator information. The orders will be turned over from Fire staff to Code Enforcement, who follow up on owner-occupied staff. Feel free to call back with questions. We will also send an email confirming this.

Referred to the City Council due back on 8/18/2021

- 13 [RLH VO 21-34](#) Appeal of Salina Amey to a Notice of Condemnation as Unfit for Human Habitation and Order to Vacate at 283 CURTICE STREET EAST.

Sponsors: Noecker

Layover to LH on August 24, 2021 at 11:00 am for update on sewer pipe conditions.

Salina Amey, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: August 10, 2021 a notice of condemnation was issued due to lacking basic facilities for a sewer repair. Inspector did find foundation issues but nothing that would prevent her from staying in the home. The biggest concern is the lack of sewer service. The inspector spoke with the owner and she did have a contractor coming out. We have a vacate date of August 17.

Amey: I have a little bit more information about how this happened. I called Inspector Hesse immediately when I found the orders posted on my house. He gave me permission to move the posted notice to the front door instead of the screen door. I asked him how it happened. He told me that the order to condemn came from the Building Official, Steve Ubl, and he said that Mr. Ubl had been told I refused to allow the contractor to enter my house. That is not true. My contract is dated to April or early May. Then I had Covid so the sewer repair didn't start in May. I asked for time to recuperate at home. Three weeks later I contacted the contractor and was ready to do the work and I had to wait to get on his list again. Finally he let me know he would come and do it. Because the collapsed sewer caused my porch foundation to sink, he included putting new footings for the porch so it was stabilized and level and that he didn't like to do sewer repair so close to footings that needed replacement. He also told me it was a safety issue as well as the sewer repair. He said the first thing he would do was the last footing and he poured the footing and told me he needed a week to cure. Then he put a top on the round footing made of block and then told me he needed that to cure. So he was here Thursday or Friday and he had done the last footing work and I had been calling and texting him about giving me advance notice of when you need to get in. He said he would, but he left on Friday and I never heard back and so Sunday night I texted him letting him know I would be in the north metro Monday morning and home by mid-afternoon and then I turned the computer off. In the morning before I left I saw he replied saying we're going to be back Monday and we need to get in. He didn't say it was an emergency, so I just replied. I said the area was prepared to work in and I will be home mid-afternoon. I came home and he had hit the water line using the heavy machinery to take water out of the pit in my front yard. I didn't know he was coming. He made a huge hole so he could do the sewer work. That's what I came home to. The City had already turned off the water. It's a huge mess. He emptied the water and on Tuesday he came back and he was repairing the water line and I later learned he didn't get the sewer permit or the permit to put the footings in. He got a permit to fix the water line. The first time he repaired it, it immediately leaked. Then he did it again using the same process. I looked at the repair he had cut out when it failed and I was very concerned because I could see it wasn't the kind of repair a professional plumber does. He never asked my permission to repair my brand-new water line. That was put in in 2017. That was a new copper waterline. I was very concerned and I called the guy who put my water line in and he said, "other people have had problems with this contractor, he shouldn't have hit your water line, don't let him repair it". I kind of put 2 and 2 together that my contractor never asked once to look in the basement to see where the water line comes out. So when the City marked where the line was to do his work he assumed it came from the house straight, which it doesn't, it comes at an angle. The City doesn't mark and find the entire line, they just mark it at the curb. That's when he started blaming everyone else for why he hit the line. Then I find out later he lied and blamed me saying he hit it when I wouldn't let him in to see where it was. That is not true. I have emails and text messages. I asked him how big an area he needed cleared to work, we have that cleared. He said 6 x 10 feet. I showed the repair to Jeremy Miller and he saw how it was done and he said it wasn't done right. Then he tells me Robert Brandtjen has an association with a particular plumber, whose name I would have to look up. The plumber himself was going to come and repair, not replace. I have been nice about this. Who wants a brand-new copper water line repaired? I was nice about it. Then Jeremy Miller left and instead of the plumber coming to repair the line, Robert Brandtjen did it again. I called the plumber and told him and said I thought he was doing the work. He said he wasn't and Robert was. I said Robert isn't a plumber. He said he told him how to do it and he will do it right. I said he hadn't done it right before. He told me it wasn't any of my business how Robert repairs the line. He got mad

anytime I came out of the house so stayed away from Robert. I had to go somewhere briefly and came back home Wednesday. Jeremy Miller came back to look at the repairs.

Moermond: is Jeremy Miller an inspector?

Amey: he's an inspector for the Saint Paul Water Utility. He didn't know what to do when he came back. He thought it had been repaired correctly even though Robert had done it. When I came home my hose was on. They had disconnected it and it was pouring down the side of my foundation which was bizarre. He repaired it and flushed the line but only did it at the hose. I called the plumber and told him I don't have any water in my bathroom. Dirt and mud got in the line.

Moermond: one of the things that strikes me is it sounds like they are operating outside of the bounds of their responsibilities and causing damage. Have you talked to an attorney? This may necessitate private legal involvement. Without proper sewer and water you are in trouble with your ability to live there.

Amey: I have reduced flow in my kitchen and my sink. The water line to my tub is clogged and needs to be flushed. Jeremy Miller, after the first 2 repairs, they flushed my line so they all worked. But then the repair wasn't done correctly and had to be redone correctly, but it didn't get flushed again.

Moermond: how about the toilet?

Amey: I flushed the toilet today. When he put that massive hole in the front yard the boulevard tree from the neighbor's house, the roots got cut that were in my pipe so I now have sewer service. I do have a company coming out Thursday. They are going to clear my lines.

Moermond: is the sewer still connected? Is it still collapsed?

Amey: it wasn't collapsed. The sewer line had 2 dips in it. The dip filled with water so the camera couldn't see through the water. So that's why I applied to have it put on my taxes and was given a list of companies approved for the City by the Building Official. I picked one. That's how I got a contract. My sewer line, there are videos, but you can't see everything.

Moermond: so has it been repaired?

Amey: Robert Brandtjen walked off the job.

Moermond: I hear you.

Amey: I have a legally binding contract. I'm not allowed to hire a contractor until I get the contract dissolved. I have to file an insurance claim. But my sewer works, it just needs to be flushed.

Moermond: and I don't know that because I need affirmation it isn't leaking into the ground. That those dips aren't faults. There is more going on that I don't feel like we have the technical people in here to address.

Martin: I believe Richard from Sewers has been involved.

Moermond: I'm not surprised to hear that. That is good.

Amey: of course he is. He handles the application. His department gave me the list approved contractors.

Moermond: who is your attorney?

Amey: I don't have an attorney.

Moermond: oh, I thought you said you did. My apologies.

Amey: my mother is dying in the hospital and I have other issues to deal with. This is not helpful. And here I am being harassed. I have a long history of this since 2011 of Steve Ubl intervening in things that go on at my house.

Moermond: ok.

Amey: this is public corruption. Steve Ubl has done a lot of things around here and he is the one who called this in. I called my inspector, Isaac, and asked if a building permit is needed for the porch footing. He said yes. I said the contractor had put in a footing already. When I called him back about it he told me "I sent this up to Steve Ubl because Steve Ubl has a lot of interest in what goes on at your house. And Steve Ubl tells me the contractor says you refused to let him in the house." So now I'm being told I have to have to pay for a permit for the footing. That's Ubl trying to get the contractor out of trouble like he always does. Steve Ubl takes money from contractors to get them out of trouble. I was told that in 2011. In 2011 Steve Ubl wrote a letter on behalf of a contractor to get him out of trouble.

Moermond: and your saying he took money to do that. That is a serious allegation.

Amey: that's what the contractor told me. He said it took a lot of money to get what he wanted. The contractor ruined a retaining wall on my property, he made a mistake. Steve Ubl fought to protect this contractor, Charles Nosie.

Moermond: if I may, Steve Ubl has gone after that contractor with criminal charges in the past. But anyways, I am not 100 percent sure where we are at with the sewer line. You have a contractor who walked. We have City staff with some knowledge but who are not on the line. I'm going to check schedules to see if we can figure out a time to have a conversation with those people on the line to figure out what makes sense.

Amey: I appreciate that.

Moermond: I know you're under a tremendous amount of pressure.

Amey: it is difficult for me to deal with. There are other things going on in my life right now. I have health issues and my mother has septicemia. I need to visit her every day. She may be on her way out. I have a long history of being mistreated by certain staff at DSI. It has created very difficult situation for me. I have all the records all the way. My insurance company replaced that retaining wall for \$12,000 that was damaged. I don't think Steve Ubl ever forgave me because he had an agreement with the contractor to keep the contractor from having to subrogate his claim and he was really mad. When he walked off the job leaving it in disrepair and I provided abundant evidence that that retaining wall was fine before that work. I had pictures of everything. None of that ever mattered because Steve Ubl is at the top and some of the staff

under him are obedient to him even if it is not ethical. Others are ethical and have no idea there is corruption at DSI. I know. I have evidence. I kept everything.

Moermond: sure. I'm checking calendars here.

Amey: I can have the lines flushed. It will buy some time before, you know. I did flush the toilet today. The roots got destroyed. And I have to extricate from this contract.

Moermond: and I need to know the sewer line isn't contaminating the surrounding soils or your house. Those are my health and safety concerns. I have to keep my eyes on that and how we can confirm that by a professional. Then we can put together a path from there.

Amey: I have an arrangement for McDonough to come Thursday at 7 am and they will flush it and take pictures.

Moermond: are you available today at 3?

Amey: of course.

Moermond: we will try to get them on the line. We'll call you back regardless with where we go.

Amey: my notice says I have to be out today.

Moermond: as long as you appeal enforcement is stayed until it is decided.

[recess until 3 pm]

Moermond: on the line we have Lisa Martin from Code Enforcement again as well as Richard Ekobena from Public Works. I did also speak to our Senior Plumbing inspector Rick Jacobs. What I'm going to ask Mr. Ekobena to do is describe the physical situation there and the public health component he is concerned about. Then we'll talk with you more.

Ekobena: my understanding is that there was a break in the sewer line with water from the house it won't flow into the pipe and into the sewer. Any water used at the property right now will eventually backup with nowhere to go. This is a problem because wastewater isn't meant to sit in pipes for that long. It creates an unsanitary condition that is potentially hazardous.

Moermond: when material, like fecal matter, sits there then there are airborne pathogens that go into the air and that creates poisoned air in the house. Is that a fair summary?

Ekobena: that is correct. As long as there is no flow as there should be you have bacteria building up which creates a level that is unacceptable inside a property.

Moermond: does that depend on the cause of the blockage or lack of flow? Does that impact the safety and health concerns? Break versus roots. Those sorts of things?

Ekobena: it is pretty much the same, the way to look at is the wastewater should be able to quickly flow. Even in our system we have to carry it quickly to the treatment plant. It isn't meant to be a storage system due to the activity of the microbes in the

wastewater. The water cannot flow out of this property as expected, that is what it comes down too. It could be because of roots but at the end of the day the water can't flow into the sewer system because of the backup.

Amey: Mr. Ekobena has a lot of files to keep track of. The videos did not indicate any break in the line. They indicated roots in the line and a couple of dips that were underwater, which is why I'm seeking to have the line replaced. When the contractor dug up my front yard, he dug up huge roots in the trees that invaded the sewer line. They were huge. The roots from the tree have decomposed so I can now flush the toilet because it has been a couple weeks. Ironically, he cut and destroyed the roots that had got into the line. I made the arrangement with McDonough to come clear it because my house got condemned. I'm in a difficult situation since I have a legally binding contract with this contractor and I have to follow the rules.

Moermond: and we talked about that earlier. I need to focus not on your contract, but your physical safety and health concerns. I heard Mr. Ekobena say the cause doesn't matter, but the lack of proper flow creates the problem. That lack of flow out of the house is problematic and introduce the pathogens into the air.

Amey: my sewer line was not inspected. I voluntarily had people take video and then entered this program to have it replaced. But if an inspector had come to my house and said Steve Ubl has informed us you don't have sewer service; I could have invited him in to flush the toilet.

Moermond: you're thinking that's the measure of what the problem is. We have heard you don't use the plumbing much at the house from what you've shared with Mr. Ekobena. We don't have confirmation the line is repaired or replaced.

Amey: it won't be replaced. He walked off the job.

Moermond: the measure of safe circumstance is that permit being finalized.

Ekobena: yes, we would go out and inspect that.

Moermond: so you confirm the work is done correctly by her contractor. That is the bright line we are looking to cross to definitively know that things are safe right now. You are saying it flushes, but we have statements from you in the past that it hasn't. I guess I'm struggling here. I know you have this legal problem but you need to reach out to lawyer, you know. That is the nature of the problem, but I need to focus on the health aspect of this.

Amey: the contractor told me if I used the toilet there could be a possibility of the tree roots preventing sewage from flowing freely. In order to keep the work area sanitary I voluntarily started using a camping toilet to keep it sanitary in the front yard. The current situation is with the tree roots being cut from the pit being dug I can now flush. I checked it today. It didn't back up. It is partially cleared; it can probably be cleared some more. Yes, I want to use the sewer assessment program to replace the line. I'm in a pickle because I have this contract and he has taken off.

Moermond: Mr. Ekobena, what are your comments about the roots?

Ekobena: I remember when you and I spoke Ms. Amey, you told me you haven't had sewer there for months and haven't used it there and that's why it was important the work get done.

Amey: not for months. I said I didn't want to use a lot of chemicals and put it into the groundwater if there was a backup. He wanted to put me on the schedule so I started using the camping toilet a month ago. I stopped using the enzymes because I didn't want it to be unsafe for him. There has been no maintenance of the line out of respect for him. I can have a company come and flush the line with water and take video camera pictures and we'll have a better ability to see what is in the line. It has 2 dips and tree roots and the camera pictures only showed some things. I thought I would do that. I came up with that plan and it will cost me a pretty penny. I did that because my house got condemned. The City wanted my sewer line to be flowing. I'm willing to shell out \$1,000 but I need time to figure out the proper procedure when I have a legally binding contract.

Moermond: and the question to me is whether you have that time and can live there or not. I'm leaving the safety concern to Mr. Ekobena as the sewer expert. I see we have an active permit issued August 3 for water and plumbing, right of way, and then a sanitary sewer repair. Those are all open. Given what I'm hearing I don't feel assured we have a safe situation for living inside the house. Am I missing something?

Amey: so you are saying there is bacteria in the air because there is what? Human refuse sitting in the line? Is that your claiming?

Ekobena: let me back up, you said there was a couple dips in the line.

Amey: your office told me there were dips in the line, that's why the camera was underwater. That's why the line is ready to be replaced.

Ekobena: what I'm trying to say is that whenever water builds up on a sewer line it tells you it can't flow because as the water comes out of the house it flows through gravity. So a dip means something is preventing the water from flowing all the way out.

Amey: you didn't condemn the house when you saw it. Why are you---you're telling me my house has to be condemned in August but you got the videos in the spring and didn't do it then. Why is my house being condemned out of the blue?

Moermond: it isn't out of the blue, there has been a lack of progress in addressing it and it does happen that sewer line problems happen and houses aren't condemned. They can relocate or work through it quickly. What's happened here is there hasn't been a timely resolution and there is an ongoing health and safety situation.

Amey: that's not true. This is an unjust hearing. Nothing has changed here. My sewer line is 98 years old. And out of the blue in August you have people ganging up on me condemning my house. Out of the blue.

Moermond: I don't think it is out of the blue if it has been going on for months.

Ekobena: the way sewers work is we usually issue permits and we don't have contact until something happens. That's what happens here. Your contractor came to us because you called them with a problem.

Amey: no, I called your office and said I had a backup in my basement floor drain and I was told your storm sewer is 98 years old and we'll send you some contractors. I paid to have people come with cameras and they took video of the line. Then I asked your department to look at the video and it was confirmed to me, yes, it should be replaced.

Then I applied for the program to have it put on my taxes. I was approved and I was told to get 3 bids. I got 3. I picked a contractor. I signed a contract. And Roberg Brandtjen is my contractor. He walked off the job after he hit the water line.

Ekobena: from the time you sent the video to view to now was just about a month ago. You told us you had a problem, we told you to get a contractor, then you looked at it. So to say it came out of the blue, we gave you time to fix it.

Amey: I have a contract with a contractor. I have done everything I my power. I have offered a solution, to pay someone to get the roots out of the line.

Moermond: if that is the issue it may be a solution. Mr. Ekobena, would that resolve the question? You need to see a video? Is that what I'm hearing?

Ekobena: you are correct. When a line is not clear you don't know what is going on there. That is what happened here. It needs to be cleared and repaired to know if it will work. You've seen only part of it. That's what the video shows. You can't see beyond the dip. To say it is ok now without any further repair isn't correct.

Amey: do you understand I'm trying to get it repaired and I am still trying? I've asked you for help in how to handle this.

Moermond: he isn't your lawyer. The City's responsibility is to make sure it is safe.

Amey: to play hardball with people? People who have real lives and difficulties and force them to leave their house and pay to live somewhere else? Where is the compassion?

Moermond: and where is the compassion if you or anyone living there gets deathly ill.

Amey: please tell me ---prove to me there is filth filling my house from the sewer. It is not happening. No one even inspected. Come flush my toilet and see what happens!

Moermond: you said you have a contractor hired for Thursday this week?

Amey: I can pay \$1,000 for someone to flush the line. Maybe that's not a good idea. You are saying you want my 100-year-old house to have a perfect sewer line and I can't live in because you want to play hardball with me and I don't have a perfect sewer line. I didn't know it needed maintenance until it backed up this year.

Moermond: it happens from time to time. They do need to be maintained. Sometimes replaced. It doesn't have to do with you personally, just the physicality of the situation.

Amey: oh, this is personal!

Moermond: I know you feel that way.

Amey: Steve Ubl has been harassing me since 2011.

Moermond: he hasn't been involved in any of these permits I'm looking at.

Amey: he's the one who ordered my house condemned!

Moermond: that came from Steve Magner's shop.

Amey: I was told it came from Steve Ubl. And I was told by the person I called who I told I wanted to know if a permit was required for the footing my contractor poured. He said yes, have him pour the footing and pull a permit. No permit showed up at my house so I called the inspector again and he said your contractor told us you refused to let him in the house and I pushed this up to Steve Ubl because he likes to handle issues at your house and he ordered your house condemned. That came from Isaac. This is year 11 of harassment from Steve Ubl who has an axe to grind with me because he helped a contractor out. He did something very bad 11 years ago.

Moermond: and have you filed a complaint on that action?

Amey: I did with the Department of Commerce. He told the Department of Labor and Industry that the contractor did everything right so they dismissed my complaint against the contractor. Then I filed an insurance claim for the damage and they sent out engineers who determined the contractor destroyed the retaining wall by making a mistake.

Moermond: so it was dealt with at the Department of Commerce and you did follow—

Amey: not the Department of Commerce! The Department of Labor and Industry. They called Ubl and he said the contractor did everything right and the contractor got off from everything. He told me it took a lot to get what he wanted from Steve Ubl. That is what he told me.

Moermond: you said earlier that Ubl accepted a bribe.

Amey: I think he did. That's what the contractor told me. He bragged to me about why he won. Steve Ubl sent a letter on his behalf.

Moermond: if you think that that happened did you follow through separately? I hear you saying you did, which is great, but did you follow through with City staff on ethics issues?

Amey: I didn't. Now I have years of records of harassment. Guess who protects City employees from wrongdoing? The City Attorney's office. I don't think there is an ethics office in Saint Paul. This is harassment by Steve Ubl.

Ekobena: can my office help you try to locate a different contractor to get this done?

Amey: I will tell you that I am going to be held liable for a \$15,000 contract if I hire someone unless a judge negates this contract I have to go through the proper channels. He has put me in a difficult position. I have no legal rights if I hire someone. He damaged my property.

Moermond: have you complained on the contractor's license?

Amey: he doesn't have a State license. Steve Ubl gave him one to do work in Saint Paul. He doesn't have a State license.

Moermond: I don't know Ubl gives licenses. Mr. Ekobena, is this something where you could reach out to the contractor? I don't know if you've ever mediated something like this. It puts you in a rotten position. The City isn't a party to this contract. Based on what I'm hearing I am not feeling comfortable, I am looking for validation.

Amey: I think you're a horrible person. I think you're a rotten person for doing this with no evidence. You're just throwing the book at me. What do you expect me to do? You don't even care. You are so high and mighty that people will die of infection and you don't even know what you're talking about. My mother is in the hospital. I'm supposed to be visiting her. St. Paul is a disaster. I'm so sorry I ever bought a house in this City. This is the most corrupt City in the Country right now.

Ekobena: please don't feel that way. I tried at least four times to try and bring her and the contractor together. I talked to them independently four different times. Each time it seemed like it would work. I can try again. You don't have an eye on what is going on, but you may put water in and it backs up in your house. It would be best to just try and get it replaced.

Moermond: can I make a suggestion? I hear you have tried several times to do this. I do think that a camera needs to be run though to do affirmation given the discrepancy of opinion.

Amey: I didn't say things were ok. I wanted my line replaced. I'm going to be out \$15,000!

Moermond: I'm wondering if we can come up with an alternative dispute setup using the Dispute Resolution Center.

Amey: they are terrible.

Moermond: so you've used them in the past?

Amey: yes, I went there with Nosie. He walked out after Ubl told me for months to go to Dispute Resolution and then he wrote he did good work In the end.

Moermond: so you won't use the Dispute Resolution Center?

Amey: number one, why would I want to go there?

Moermond: that would be a place to mediate the differences and maybe get out from the contract without going to court.

Amey: is that possible?

Moermond: if both parties agree to leave it can be set aside. That's the forum for that conversation. Mr. Ekobena could provide technical information. Putting him in the position to mediate isn't going to get us where we want to given he has already tried.

Amey: this guy damaged my house. It is not going to work.

Moermond: I would see if would be willing to do that. If he walks away you can sue him but at least that would be a low-cost way to see if it can be dealt with. I think you need to have a camera run at the very least so Mr. Ekobena can get a sense of the situation.

Amey: can the City of Saint Paul pay for it?

Ekobena: yes. We do have a crew who can go from the street to determine the

condition if you allow us.

Moermond: so the middle of the street up to the blockage, or beyond, with the permission of the private property owner?

Ekobena: yes. As long as we have an understanding. The property owner can send me an email to allow me to televise the sewer.

Moermond: is that something you want to do Ms. Amey? Allow the City to do that inspection?

Amey: I already know it has to be professionally cleared using cutting tools or water pressure because the debris in the line has not yet been cleared to get past the soil and debris. Those decomposing roots have to be flushed out. I didn't want to spend a whole bunch of money but there are companies who can clear it. Right now I don't think anyone is going to be able to see it.

Moermond: so you need to get it cleaned out and the City will run a camera then. That will work.

Ekobena: what is confusing now is you said your line was backed up so I don't understand how it can be flowing if it is not cleared yet. It is a little difficult to understand that.

Amey: Richard, I flushed the toilet this morning. I haven't been using the water because Robert Brandtjen told me it is really gross and unsanitary when they dig in a yard when there are tree roots in the line. If you use the toilet it is unsanitary so I stopped using it to keep the area sanitary a month before they started working. It used to be I could not flush because of the roots. The obstructions are gone now, so it should be possible to clear the line enough to see with a camera the state of the line. I agree it needs to be replaced because the video shows the dips. The 100-year-old sewer line is not in great shape but can probably be cleared enough to be used in the short-term.

Ekobena: unfortunately the City does not pay for cleaning sewers. We can televise it but we are not allowed to go in and clean them.

Moermond: I think it is very much in your interest to do that.

Amey: I don't like shelling out \$1,000 but I did that because my house got condemned.

Moermond: if that company is out there on Thursday is it possible for your folks to look at things on Friday or Monday?

Ekobena: yes, definitely. I feel bad Ms. Amey is spending so much money to a line that probably should be replaced.

Amey: I have a contract with your division to have this done.

Moermond: the contract is with a private contractor to be fair. It is not with the City to have the work done; they are simply financing the work. You'll follow through with getting the line cleaned out Thursday with your private contractor. Mr. Ekobena, with your permission—and I want to hear clearly that you are granting permission—will run a

camera Friday or Monday between the City's sewer from the center of the street through your private property to see if there is anything to him that should result in the ultimate condemnation of the property. I can revisit this on Tuesday next week with that follow-up information and we can come to a resolution. In the meantime the condemnation will continue to be stayed pending the outcome of this work. You follow through on your side of getting it cleaned out. Mr. Ekobena will follow up on his side and we'll hopefully have all good news on Tuesday. Does that work?

Ekobena: sounds good.

Amey: I guess I have to cooperate. This is all a hardship to me.

Moermond: but those things aren't leading to the condemnation, they are just other things on the list. We are going to worry about the principle violation first. That is our focus right now and the rest can be put on the backburner until we get out of this dark space, okay?

Amey: is there an ethics department where I can complain about my treatment by Steve Ubl?

Moermond: I would suggest you send that kind of complaint to the Mayor's office or Human Resources.

Amey: do you know for a fact they have an ethics person?

Moermond: it is the responsibility of the Mayor and director of Human Resources to look at this kind of situation. It is built into exactly what their jobs are.

Amey: I am swamped with all kinds of things. I can't do that without going through a lot of files and photographs. I have photographic evidence. I have a lot of evidence.

Moermond: sure. And I need you to, at least for the moment, focus on the work on Thursday. Mr. Ekobena, do you have a schedule for your staff so she would know exactly when the sewer would be checked?

Ekobena: I can set up the work to be done on Friday if that is okay with Ms. Amey.

Amey: the fact is the company coming do a video after their work. So you want to wait and see? Or do you want your own video.

Ekobena: I would prefer we have our own video done. There is also an advantage of doing that because the person your hiring does it from the house to the blockage. We would do it from the sewer up to the blockage, so you get a look from both ends.

Amey: ok, and I agree. I WANT to replace the line. I'm saying I have to pay for the trees in the line AND I have to pay for the video. It is a hardship.

Moermond: I understand.

Amey: and this guy damaged my property. That's why he's walked off. For what? He is buddies now with Steve Ubl who is going to fight because he is Steve Ubl's [muffled].

Moermond: and right now this order is stayed because you are in the appeals process. I know you aren't crazy about that. We are talking, we have a plan of action and we are

in agreement this plan may work. if your contractor would share the video with Mr. Ekobena that would probably be useful and he'd have the benefit of both videos to review for his analysis. I appreciate your thought to share that and I would say it would be useful. In the meantime I'm going to say let's talk next Tuesday.

Amey: and the dispute resolution part, I would like somebody to reach out and request that he participate in that.

Moermond: call them and get started on it. Mr. Ekobena can suggest they participate, he cannot force them to. He can say the City endorses the process. At 11:00 next Tuesday morning, how does that work?

Amey: that works. August 24 at 11 am should be fine.

Moermond: we'll reach out to you and we'll hopefully all have good news. I wish you a good next few days, I know these are trying times. I hope things start to look up soon. We will send an email to confirm too.

[Amey and Ekobena have a discussion about timing of City coming out]

Amey: I haven't decided if I'm going to have my line cleared. I just haven't made that decision.

Ekobena: we don't bring our camera all the way into your house. If we can get all the way through, we stop at your building wall.

Amey: oh. Alright, that sounds fine. Should I reach out to dispute resolution? They usually book out two months.

Moermond: it is your contract so yes; you would be the one to reach out.

Amey: I will do that. Unfortunately I have Steve Ubl who is ready to swear I refused entry to the contractor and there are people who saw him in my house. It was cracked open, filled up, and then he threw the dirt back in the basement. Then he has the balls to tell people I was refusing entry. That's what I'm dealing with. And Steve Ubl does it too. Lies. Does one thing and says another.

Moermond: and getting that work done Thursday will help us in navigating a path forward.

Amey: it may just show my line is in rotten shape. You are saying any little crack in the line means you are condemning my house.

Moermond: that isn't at all what I'm saying. I'm looking for if there is a reason to believe there is a sewer gas problem at all. Mr. Ekobena and his expertise can provide us the information we need. Mr. Ubl really isn't going to have anything to do with this decision, it is Mr. Ekobena and his team. Thank you for your time. We'll send a confirmation email and Mr. Ekobena's team will be there on Friday or Monday. And a crack in the line isn't something that's condemnable, we are worried about not being able to get through at all because that is the thing that would cause sewer gas problems.

Ekobena: correct.

Laid Over to the Legislative Hearings due back on 8/24/2021

1:30 p.m. Hearings**Fire Certificates of Occupancy**

- 14 [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 September 7, 2021 for further discussion. Recommendation forthcoming.

Wally Nelson, owner, appeared via phone

Moermond: we have been looking at the floor plan you submitted. Considering all kinds of way the Fire Code might be interpreted on this. I'm going to turn it over to Ms. Shaff, who has talked with her colleagues and the Manager for the area.

Staff update by Supervisor Leanna Shaff: looking at it further and going into the paper files. In 1998 Mr. Nelson did a general remodel. No structural changes, but we're looking at the fact these porches weren't constructed as an enclosed porch. Somewhere along the line it was enclosed with windows and screens. Your code compliant options are to install a window, which wouldn't work here because there is no exterior wall. Opening the wall to an adjoining room at least 50%. Sprinkler the whole dwelling. Or remove windows and screens from the porch.

Nelson: those windows on the porch have weights in them. They were put in when it was built in 40's. The storm windows did get added, no doubt about that. But just to add that so we are all on the same page.

Moermond: any other comments from a Fire Code perspective? It seems to me normally you would say alternatives are adding a window that exits to the outside, but this room doesn't have an exterior wall. Another option is opening up the room to another room 50% so it is one large room. Those two seem like the interior options. Also removing the windows from the porch. I don't know if there is a possibility to do French doors to open up that wall.

Nelson: there already are French doors on that bedroom.

Moermond: how wide is that door opening? Do you know?

Nelson: It is probably between 5 and 6 feet. The doors are wider than 2 feet. My guess is roughly 5 feet.

Moermond: and the length of the wall separating this living room and bedroom

Nelson: we are using this as a 3 bedroom. No matter what I do people always put their bedroom up front. That bedroom is 11 x 11.

Shaff: what about the bedroom off to the side of the living room? How big is that?

Nelson: like 11 by 8. There is no way to combine those two. There's not much of a wall

there, that bedroom has a closet against that wall. There is not much room there really. Let's cut to the chase. I don't really have an option on the outside. You said remove the windows and the door. What if I just remove the door? Is that on board?

Moermond: I think there is another option here, and the wall separating the bedroom from the living room, if I know the length of that wall. If that wall is 15 feet and the French doors are 5 feet, then we have a 30% opening. The requirement is 50% and I could consider a waiver of several feet on the opening. But I need a good measurement. I won't normally go more than one-third. It's a good thing those are huge doors

Nelson: you want to measure the bedroom or living room wall?

Moermond: the section of wall from the bedroom on the left of the living room to the end of the first bedroom. Does that make sense? Whatever the length of that wall is. And then the length of the door opening within that wall.

Nelson: so the side bedroom over to the far side of the bedroom.

Moermond: exactly.

Nelson: you will have that tomorrow.

Moermond: traditionally removing the door is not an acceptable option for the porch. But I'm thinking we may be able to hang our hat on a variance on those doors.

Nelson: Want me to call you about that?

Moermond: yes, give me a call. You've rented 3 bedrooms so it is not like someone would be displaced. They would be unhappy but not displaced

Nelson: yes.

Moermond: we'll see if that works for a variance.

Nelson: sounds good, that's fair.

Laid Over to the Legislative Hearings due back on 9/7/2021

**15 RLH FCO
21-113**

Appeal of Ray Moore to a Fire Inspection Correction Notice at 710 DESOTO STREET. (To refer to August 17, 2021 Legislative Hearing)

Sponsors: Brendmoen

Grant to November 1, 2021 for compliance with orders on the fuel tank removal and retaining wall repair. Balance of orders to be reinspected for compliance.

Ray Moore, owner, appeared via phone

Moermond: so we were looking for an update on the retaining wall survey analysis and touching base on the balance of the orders. Let's talk first about the retaining wall and survey?

Moore: I took some of Leanna's advice. I went to a long-time builder and he asked if I knew who owned it. He said to go to the previous property owner and ask who the

builder was and they have a copy of the results. So I went to the old property owner, Dayton's Bluff Community Council and met with the engineer. He gave me a copy. We talked for a while. I brought it to someone who could read it. I wanted an independent opinion. And what we have determined, which shocks me, is that retaining wall is on my property. So, it is my property. Even though the builder damaged it building the house and putting up the fence more than likely. My retaining wall on my property.

Moermond: it is nice you didn't have to pay for that. That's money that can go towards the wall.

Moore: the inspector said disrepair. I've started addressing the front. The back has disrepair, we will address that. There's a bit in the middle by the tree. It is not my tree. My wall though. So that's what I'm doing. I'm working with it Sunday to repair. When the front is done I'll move to the back and side.

Shaff: congratulations on owning a wall.

Moermond: the short list of items that my staff will never buy a house with. I'd like to find out, you have a few repairs you are doing yourself. I'm assuming mortar is part of the work so temperature is an issue. How much time into the fall would you like to deal with it?

Moore: late October would be fine.

Moermond: let's go to November 1 for that then.

Moore: that should be fine.

Moermond: let's change the order for the oil tank removal to November 1 as well.

Moore: perfect.

Moermond: you'll need to schedule an inspection for the balance of the orders.

Moore: I can call Laura Huseby. Everything on the list is done. Permits are finalized.

Shaff: call Inspector Huseby. She doesn't normally work residential; she was just helping us out. So scheduling with her would be fabulous.

Referred to the City Council due back on 9/1/2021

**16 RLH FCO
21-129**

Appeal of Jamie Rattanapamonsook, Thai Street Market, to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 1665 RICE STREET.

Sponsors: Brendmoen

Grant to September 20, 2021 for compliance with items 1, 2 and 6 related to tags and documentation on site and exhaust hood cleaning and documentation. Grant to October 22 for item 5 related to make-up air units.

Jamie Rattanapamonsook, owner, appeared via phone

[Moermond gives background of appeals process]

Shaff: conducted by Inspector Huseby. On the July 30 orders we have 3 items. One is we have a makeup air issue that are currently underway under permit. One doesn't appear to be working, one lacks proper air supply. Sounds like it is on backorder, so we're looking for an ETA on when that may occur. The second item is contacting a qualified hood and duct cleaning service to remove the grease and sludge. That is supposed to happen every six months. We received the cleaning report from January, but we don't have the most recent one. That is past due. Third item is the requirement for records of the inspection and cleaning be kept on site. I read in your email to inspector Huseby that you keep them at home because obviously if there was a fire it would be a problem. I would suggest you make copies. Or get a fire-rated safe. We're looking for basically some documentation.

Moermond: I have your comments. I'll turn it over to you.

Rattanapamonsook: we would like an extension of 2 months for the makeup air. We've been trying to speed it up, but they aren't expecting to get it in until September and it has been taking a long time to get the HVAC company in. Each time is taking a long time. For the hood cleaning, we do now have the inspection reports on site, we moved those. We need to have the most recent cleaning done; we've been trying to get ahold of the company. We have a contract with them for every six months, so I'm not sure what the problem is now. They usually contact us. I guess that covers it.

Moermond: we have the makeup air, the cleaning, reports on site. So the hood cleaning—

Shaff: that is already past due.

Moermond: understood. The orders had an August 17 reinspection. Clearly that needs an extension because that is today. I'm going to say let's push that out one month, so provide that documentation to DSI.

Shaff: we would like to see it on site. So she could make sure it was onsite and done at the same time.

Moermond: so let's give to September 20 for those items. Then go out 2 months for the makeup air, to October 22nd. We'll email you a follow up letter by email confirming those extensions.

Rattanapamonsook: thank you very much.

Referred to the City Council due back on 9/1/2021

2:30 p.m. Hearings

Vacant Building Registrations