



# City of Saint Paul

15 West Kellogg Blvd.  
Saint Paul, MN 55102

## Minutes - Final

### Legislative Hearings

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

---

Tuesday, December 21, 2021

9:00 AM

Remote Hearing

---

#### 8:45 a.m. Hearings

##### Special Tax Assessments

- 1     **RLH TA 21-463**     Ratifying the Appealed Special Tax Assessment for property at 615  
LAWSON AVENUE EAST. (File No. J2205A, Assessment No. 228504)

**Sponsors:**     Yang

*Continue PH to July 13, 2022. If no same or similar violations, reduce assessment from \$498 to \$250. Make assessment payable over 5 years.*

*Jennifer Peloquin, owner, appeared via phone  
[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this is a Summary Abatement Order notice issued July 29, 2021 that said please remove and dispose of tires, tote bins and trash from rear of the alley. Compliance date of August 5, rechecked the 5 and found in noncompliance. Abatement done on August 9 for a total proposed assessment of \$498. The inspector does note that no contact was made from property owner.*

*Moermond: why are you appealing today?*

*Peloquin: those tires were not mine.*

*Moermond: what about the mattress, bins, and other items?*

*Peloquin: the mattress was not mine. I don't even remember it.*

*Moermond: when you got this letter what did you do with it?*

*Peloquin: I don't even know I opened it. I got this in the mail about me having to pay for that. I didn't know what it was for. I called and they told me. The mattress and tires were not mine. I'm not sure about the totes. Tires and all that stuff weren't mine.*

*Moermond: here's the thing, the City gave notices of the work having to be done. It wasn't done and there was kind of a long time period to deal with it. Ten days before the crew came. I get it was partially dumped on, but you have some responsibility to maintain your property. Even if you get dumped on. It is true of everybody.*

*Peloquin: that isn't really fair.*

*Moermond: that is part of owning property. As a private property owner—*

*Peloquin: so people can just go around and dump garbage and others are responsible?*

*Moermond: you can try calling the police, putting up cameras.*

*Peloquin: so I have to spend money I don't have?*

*Moermond: are you responsible for maintaining your property, or is everyone? I'm seeing there were a couple issues in 2020. This is 3 problems in 1 year. I'd like to see you have no more problems and no more orders written. That means you need to open the mail.*

*Peloquin: I can't afford to get extra garbage removed from my house. That's why I'm trying to sell. I have garbage all the time from people at the bus stop and grilling in the salvation army parking lot. I have my house for sale because of this.*

*Moermond: I'd like to help you out here. I can't give you a free ride given the history. I can't get it down but you need to maintain in the meantime. I'd like to give you six months and if nothing happens, then I'll have it reduced to \$250, which is half. If there is a problem, I'll ask it is approved. Financially it may be helpful if payments are divided. I can do it over 5 years if you want. It is about 3% interest rate. Cut in half if you can go February 9 through July 9.*

*Peloquin: hopefully it will be sold by then.*

*Moermond: July 13 is when it will go to Council again. You don't have to be there. We'll send you a follow-up email confirming this and the time of that public hearing.*

**Referred to the City Council due back on 2/9/2022**

- 2 RLH TA 21-491** Ratifying the Appealed Special Tax Assessment for property at 685 MINNEHAHA AVENUE EAST. (File No. VB2204, Assessment No. 228803)

**Sponsors:** Yang

*Approve the assessment.*

*Robert Clapp, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Joe Yannarely: this is the old Stroh brewery. Has been a Category 2 Vacant Building since August 10, 2010. Not a lot of action having to cleanup, it has been well maintained. This is the prospective fee of a total assessment of \$2,284.*

*Moermond: why are you appealing this, Mr. Clapp?*

*Clapp: less debate of it being a Vacant Building. I just purchased this late summer 2021. I already have spent money. It is vacant because the old power plant for Hamm's*

*Brewery has four 30 foot tall boilers full of asbestos. I purchased to redevelop. It will be a long process given the environmental situation. I'm looking for leniency and not being penalized for a 30 year vacant building and making it into something positive.*

*Moermond: it has been in the program for 11 years. The question about whether it is a Vacant Building and meets that definition has sailed. You bought yourself a Vacant Building. It sounds like it is going to take you awhile. I can prorate fees if you are out sooner than later. This goes August 2021 through August 2022. It sounds like you may be working on abatement for that entire period. Is that correct?*

*Clapp: yes. I have received a grant from the Met Council to do the investigative work. We just got bids for the remediation. There will be another application for that remediation in summer 2022. I'm not sure how long that process will take.*

*Moermond: this is vacant and has been monitored as such for a long time. I can't get you out of the program nor does it sound like a waiver will help here. But it sounds like next year come August a 90 day waiver may get you out from under that fee. I'm not sure if it would be of assistance to have payments divided over a few years? My recommendation is approval of this assessment with hopes there aren't future assessments. We can send information on how to testify further as well. I'm sorry that's not the outcome you are looking for.*

*Clapp: ok, thank you.*

**Referred to the City Council due back on 2/16/2022**

## 10:30 a.m. Hearings

### Special Tax Assessments

- 3 [RLH TA 21-492](#) Ratifying the Appealed Special Tax Assessment for property at 575 BRAINERD AVENUE. (File No. J2201E, Assessment No. 228300) (To refer to January 18, 2022 Legislative Hearing)

**Sponsors:** Brendmoen

*Refer back to LH January 18, 2022 at 10 am.*

**Referred to the City Council due back on 1/5/2022**

- 4 [RLH TA 21-489](#) Deleting the Appealed Special Tax Assessment for property at 584 FRY STREET. (File No. J2201P, Assessment No. 228400)

**Sponsors:** Jalali

*Delete the assessment (waiver on file).*

*No one appeared*

*Moermond: this is a graffiti case; you have the waiver on file?*

*Mai Vang: yes, they sent it yesterday.*

*Moermond: so that is a deletion.*

**Referred to the City Council due back on 1/5/2022**

- 5 RLH TA 21-494** Ratifying the Appealed Special Tax Assessment for property at 1050 OXFORD STREET NORTH. (File No. J2203E, Assessment No. 228302)

**Sponsors:** Brendmoen

*Delete the assessment.*

*Thomas McDonough, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Richard Kedrowski: inspector Warner went to this property June 4 and sent a Summary Abatement Order for overhanging veg with a June 11 deadline. He did another inspection on June 11, didn't send additional information, gave another week for compliance. Went back June 21 and it wasn't done. He sent out an Excessive Consumption fee, with a 6/28 due date. June 22 he went back again and said it was not done and sent a second Excessive Consumption fee for July 6 compliance. After reviewing the fees and conflicting compliance dates, we found an incomplete address on the forms. Due to procedural and conflicting forms and errors, we are recommending these are deleted.*

*Moermond: I'll recommend exactly that, that both these fees are deleted.*

*McDonough: I appreciate your time.*

**Referred to the City Council due back on 2/2/2022**

- 6 RLH TA 21-493** Ratifying the Appealed Special Tax Assessment for property at 1050 OXFORD STREET NORTH. (File No. J2204E, Assessment No. 228303)

**Sponsors:** Brendmoen

*Delete the assessment.*

*Thomas McDonough, owner, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Richard Kedrowski: inspector Warner went to this property June 4 and sent a Summary Abatement Order for overhanging veg with a June 11 deadline. He did another inspection on June 11, didn't send additional information, gave another week for compliance. Went back June 21 and it wasn't done. He sent out an Excessive Consumption fee, with a 6/28 due date. June 22 he went back again and said it was not done and sent a second Excessive Consumption fee for July 6 compliance. After reviewing the fees and conflicting compliance dates, we found an incomplete address on the forms. Due to procedural and conflicting forms and errors, we are recommending these are deleted.*

*Moermond: I'll recommend exactly that, that both these fees are deleted.*

*McDonough: I appreciate your time.*

**Referred to the City Council due back on 2/16/2022**

### Special Tax Assessments-ROLLS

- 7     **RLH AR**             Ratifying the assessments for Property Clean Up services during  
**21-119**                   September 1 to 13, 2021. (File No. J2209A, Assessment No. 218508)
- Sponsors:         Brendmoen
- Referred to the City Council due back on 2/23/2022**
- 8     **RLH AR**             Ratifying the assessments for Property Clean Up services during  
**21-120**                   September 14 to 30, 2021. (File No. J2210A, Assessment No. 218509)
- Sponsors:         Brendmoen
- Referred to the City Council due back on 2/23/2022**

### 1:00 p.m. Hearings

#### Vacant Building Registrations

- 9     **RLH VBR**             Appeal of Sharon Bruestle to a Vacant Building Registration Notice at  
**21-85**                   472 CASE AVENUE.
- Sponsors:         Brendmoen
- Grant the appeal for unit 2 to be released from the VB program. Unit 1 to be made a  
Cat 1 VB for 90 days, with a 90 day waiver (to March 9, 2022) to have Fire C of O  
reinstated or is reclassified to a Cat 2.*
- Sharon Bruestle appeared via phone*
- [Moermond gives background of appeals process]*
- Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy for a  
duplex conducted by Inspector Imbertson. First appointment letter was April 23, 2021  
with a May 12 inspection, 29 deficiencies. He inspected July 7 and resulted in 24  
deficiencies. He does note that there wasn't a lot done and the owner stated she had  
given notice to the first floor tenant who was to leave end of July. They did discuss if  
they didn't, they would file an eviction. We have a correction letter on September 17  
down to 9 deficiencies and he notes some items are done with much remaining.  
November 8 it is pending revocation with 9 deficiencies. Then a revocation letter  
December 8 with 9 deficiencies, 8 of them being for unit 1. The other, first on the  
order, is windows throughout to be in good repair. Revoked for long-term  
noncompliance.*
- Staff report by Supervisor Matt Dornfeld: we opened a Category 2 registered Vacant  
Building per that fire referral on December 9, 2021. House appeared vacant but was  
unable to confirm both units were unoccupied.*
- Moermond: sounds like you have code violations, possible eviction, what's going on?*
- Bruestle: it is a duplex and on the second floor the lady is there. The rent is being paid*

by Emma Norton. She will be homeless if she has to leave. She has nowhere to go. Everything was done in her unit. We fixed the screens and everything. There is an outlet in the living room she was using an adapter in. Her unit is in compliance. The lower unit has the problems. We have to get them out to get anything done. They have so much stuff. I brought all the screen kits and kitchen flooring, and he just disappeared. Never answered his phone. It was frustrating. We have hauled 3 trailers of trash out of the place and hardly put a dent in it. The guy in the front unit doesn't want to part with anything, so I've got to get him and the other guy out so we can clear it out. Then the work won't be that hard. It has been difficult.

Moermond: have you reached out to House Calls about this?

Bruestle: for others I have. I think this is beyond what they would even tackle. I haven't for this one. I gave them notice of filing eviction at the end of the last month for January 1. They haven't paid rent in months either.

Moermond: have you sought rental assistance?

Bruestle: I guess I'm asking you to let the lady in the upper unit stay.

Moermond: and you can hear I am not happy with you using the City as a tool in the eviction process.

Bruestle: I've sent many vacate notices prior to last month that and they just ignore them.

Moermond: you have a lot of problems in this unit. They involve a number of trades.

Bruestle: primarily it is the windows. Scraping and painting and getting screens. And the flooring. The rest is hauling trash out.

Moermond: we have a conduit issue.

Bruestle: it is just small, on the basement steps. I'll get an electrician for that. Everything is done on the second floor.

Moermond: I'm going to say that the first level is going into the Vacant Building program. We'll make it a Category 1 Vacant Building to allow you to pull permits and give you a 90 day waiver. Address these items or you are a Category 2 with a full Vacant Building fee.

Bruestle: can the lady upstairs stay?

Moermond: yes, were going to split the buildings. So revoking the certificate for part of the building and making it a Vacant Building. Any comments from staff?

Shaff: I'm fine with that.

Dornfeld: so unit 2 is out of the program, and unit 1 is a Category 1 for 90 days to have their Certificate of Occupancy reinstated, if that doesn't happen it goes to a 2?

Moermond: correct.

**Referred to the City Council due back on 1/12/2022**

**2:00 p.m. Hearings****Fire Certificates of Occupancy**

- 10    **RLH FCO**            Appeal of Shaun Ray to a Fire Safety Inspection Appointment letter at  
      **21-194**                1417 BLAIR AVENUE.

Sponsors:            Jalali

*Deny the appeal.*

*Shaun Ray, occupant, appeared via phone*

*[Moermond gives background of appeals process]*

*Staff report by Supervisor Leanna Shaff: this is a scheduled Fire Certificate of Occupancy inspection by Inspector Heitman. This is a duplex. He sent the letter November 22 for a regularly scheduled inspection to take place December 20. St Paul Code Chapter 40 states all buildings in St. Paul are required to have and maintain a Fire Certificate of Occupancy. Later it discusses no person should deny entry to prevent inspections.*

*Moermond: has this property had one in the past?*

*Shaff: it has had a Fire Certificate of Occupancy last approved in August of 2017. At that time it received a C rating. It does appear that the current owner has owned this for a couple of years.*

*Moermond: so was the current owner the owner at the time of the last inspection?*

*Shaff: no.*

*Moermond: new owner since then..*

*Ray: this home has been completely remodeled by the owner. He is a commercial electrician. He has done a majority of the work and pulled permits himself. Everything was approved during that inspection process. My wife and I have lived here since October and I don't see why there needs to be an invasion of my privacy when it was just remodeled and approved through that remodel. I don't think I need a government official coming into my home when I'm living there. I just moved here from Texas. Unless you live in a multifamily situation, I don't need someone coming into my house. This is a business agreement between the landlord and me. I'm familiar with the homebuilding process and it is in good shape. I don't believe I need anyone to come in and invade the privacy of my home.*

*Moermond: the law does say you are living in a multiple unit rental dwelling that isn't owner occupied, and is subject to a Certificate of Occupancy. In principle I hear you don't agree with that and I respect that, but the recent permits aren't a Fire Inspection. They will be looking at different things than the building or electrical inspector. They are only looking at the jobs for the permits, not a comprehensive inspection. In terms of an invasion of privacy, the legislative code does provide there can be, and requires, inspections. This is incumbent upon the landlord to provide that access and if it is*

*denied the City has legal tools. Have you talked to the landlord about your concerns?*

*Ray: I have. He says I am free to appeal this. I feel very strongly on this. I pay my taxes. I'm not on government assistance. I don't need a supervisor to my life. I firmly feel this is an invasion of my privacy. They should have done this inspection when it was unoccupied. I did read up on this online. I do have the right to appeal and that's why I am. I firmly feel this is an invasion of privacy.*

*Moermond: absolutely. I'm going to recommend denial of your appeal, but you heard me state at the beginning how to provide additional testimony to Council.*

*Ray: why am I having this conversation with you? Online it says the Fire Marshall?*

*Moermond: this is the appropriate venue for this conversation.*

*Ray: the State has authority over the City.*

*Moermond: you can certainly bring this up in any additional argument you may make.*

*Ray: I certainly will. I don't want anyone in my home.*

*Moermond: so you are aware of the avenues, the next level is the City Council. We'll provide that information on how to provide that to them, whether it is in person or in writing.*

*Ray: I am not consenting to this inspection. I'm letting you know that.*

*Moermond: once the Council makes its decision, the stay of enforcement is lifted and the Department can take action after that unless it gets further litigated at the appeals level. We'll get that information emailed to you.*

*Ray: I am very disappointed by this decision. How would you feel if you moved everything you owned halfway across the Country and you have government coming into your home telling you how to live your life? That's what this is. Last time I checked this is still a free country and you're going to impose a government official to tell me what they do or do not like when I pay for taxes, work for a living, don't ask for government assistance. You're going to come into my home and impose your will on me?*

*Moermond: I've lived in a home subject to this inspection. I understand what it is like to have someone come through.*

*Ray: why don't they do this before it is occupied? That's what they do in Texas. But here, people are ok with it I guess. I am very not ok with that.*

*Moermond: I hear that loud and clear.*

*Ray: I don't understand how you have the right to come into my home.*

*Moermond: I get that you have a different position than the City on this. There isn't any latitude for me on this, the building does meet the definition of falling in the Fire Certificate of Occupancy program. I get it, and we'll get the information to you.*

*Ray: there's a big reason why everyone is leaving the City. Besides the idiotic policies*



of the City. They are tired of oppression by big government. It is an invasion of privacy.

Moermond: I understand. I will wish you well and happy holidays if you celebrate. Look for that letter confirming all of this.

**Referred to the City Council due back on 1/12/2022**

**11**     [RLH FCO  
21-192](#)

Appeal of Pramol Mathew to a Re-Inspection Fire Certificate of Occupancy With Deficiencies at 776 REANEY AVENUE.

**Sponsors:**         Yang

Layover to Tuesday, January 4, 2022 at 2 pm (unable to reach property rep).

Pramol Mathew, property manager, appeared via phone

Voicemail left at 2:15 pm: this is Marcia Moermond calling from St. Paul City Council about your appeal for 776 Reaney. We'll try you back in 10 to 20 minutes.

Voicemail left at 2:41 pm: good afternoon Ms. Mathew, this is Marcia Moermond trying to reach you again. We've been unable to reach you so I will continue this to Tuesday, January 4, 2022 between 2 and 4 pm. We'll confirm this via phone. Your email is hard to read, please confirm this for staff.

**Laid Over to the Legislative Hearings due back on 1/4/2022**

**12**     [RLH FCO  
21-189](#)

Appeal of Jim McEnroe to a Fire Inspection Correction Order at 2121 REANEY AVENUE.

**Sponsors:**         Prince

Grant to July 1, 2022 for compliance, conditioned upon all material being removed from public right of way by December 27, 2021.

Jim McEnroe, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this inspection is a complaint inspection done by Brian Ganzel. On November 5, 2021 we received a complaint at the property regarding a falling retaining wall. Inspector Ganzel went out and observed the wall is falling down with pieces on the sidewalk and wrote orders to have the retaining wall repaired. It looks like he gave him until December 30, 2021 and it looks like the appellant is looking for more time.

McEnroe: it's a rental, the whole house. The person taking care of the wall got Covid, and before that I had it. I paid \$9,000 to Steve Junker and it was supposed to be done in August. There was a delay in trucking, so he put it out to 2022. He's going to replace it all, but he scheduled it for spring or summer. I'm asking for more time. I check it to make sure it is safe. I'd like to have to June 30 to have it replaced. I have been replacing the pieces with concrete. I do have it scheduled. Hopefully he follows through, it is a lot of money. I'm keeping an eye on it.

Moermond: I'm looking at a picture from November 8 and seeing pieces of the wall propped up against the wall on the sidewalk. Is that still there? Let's get everything out

*of the sidewalk, 100 percent clear. Let's have that done this week.*

*McEnroe: yeah.*

*Moermond: I'll give you to July 1, 2022 but I want that sidewalk cleared off this week so there is nothing in the right of way.*

*McEnroe: I'll take care of it.*

*Moermond: Let's say close of business the 27th so an inspector can drive by Monday and look at it.*

**Referred to the City Council due back on 1/12/2022**