



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final

Legislative Hearings

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651-266-8585

Tuesday, July 5, 2022

9:00 AM

Room 330 City Hall & Court House/Remote

9:00 a.m. Hearings

Special Tax Assessments

- 1 **RLH TA 22-206** Ratifying the Appealed Special Tax Assessment for property at 1762 ENGLEWOOD AVENUE. (File No. VB2210, Assessment No. 228815)

Sponsors: Jalali

Approve the assessment.

Michael Mortimer, owner, appeared via phone

Moermond: this is Marcia Moermond following up on this. it sounds like you're speaking to an attorney, which is good. Where we left it was you had concerns about the company that did the boarding.

Mortimer: my son died around 10 am. Eric Lundeen showed up, he's not supposed to be there when the fireman are still there. They have the contract with the City—

Moermond: and I need to stop you there, because I don't have control over your relationship with Rest Pro after the initial boarding. We did get you the copy of the contract the City has with Res Pro, because it sounds like you have a complaint with Res Pro about the way they behaved. They may also have violated the City's contract. But those are two separate things. What we would like to see, if you want to pursue something, and we can forward our information to City officials, but it would be helpful if you would write something about what you've experienced and you filing a complaint. Then the City can take action about that complaint. But the City can't work to get your money back or fixing your house, it would strictly be with the City's contract with them. You hiring a private attorney is what you need to do to move forward in a conversation with them.

Mortimer: I was going to send the mayor a letter but my attorney said it was too political. When we went through the fire report. They said there was really no damage to the whole building. But Res Pro came later and tore the whole building apart.

Moermond: again, I can't do anything about any part of that.

Mortimer: I understand. In 2008 and 2012 labor and industry went after them.

Moermond: and you want to talk to others about that?

Moermond: I would send to Kristien Butler and Steve Magner. Joanna can send you that contact information. That's who you'd want to send information about your complaint

Mortimer: I don't understand why the fire people allowed Res Pro to be there on the scene.

Moermond: and I don't know what happened exactly. I don't know if they knew what Res Pro was doing on site. They were on site to do the boarding, which they were supposed to be. File that complaint so it triggers that investigation. We're still stuck in this hearing with 2 assessments for this situation. One is for the boarding of the building and the other is the Vacant Building fee. It seems to me I didn't hear they didn't board the building

Mortimer: they never boarded the roof. They put a piece of plywood on the back. There were to 4x4 holes in the roof. And I told Eric Lundeen, the salesperson, and he said they were going to take care of it.

Moermond: and you aren't being charged for those holes. And they traditionally aren't boarding.

Yannarely: they typically protect from entry from being an attractive nuisance, they don't consider second story or roof as access point.

Moermond: so they didn't go up there and they didn't charge you for it.

Yannarely: the guy who does the boarding has nothing to do with Mr. Lundeen.

Mortimer: yes he does, he was in a Res Pro truck. And I asked Mr. Lundeen a week later. The guy who owns Res Pro showed up with another one of their forms and tried to get me to sign that one a week later. I said I already signed one on the 22nd. The Labor and industry people I put a complaint in with. Cunningham called me back and said Res Pro said I signed something on the 27th. This outfit do as they please in the City.

Moermond: I'm not going to accept that, since I'm telling you how to file a complaint against them. We've been trying hard to get you information to have this conversation with the right people and the right place. The boarding doesn't include the roof. Any other contract for covering the roof is not in this boarding.

Yannarely: we have a call out fee of \$250, for the emergency call out. Boarding of a small opening 4x8 times 3 and 2 windows and a quarter of an hour of labor. It totals to be \$565 plus the administrative fee.

Moermond: if you want to argue about them not doing that work the right place is doing that here and now. Or the City Council. if you have a complaint outside of that, one is filing a complaint to the City and the other is a private action with an attorney. I'm looking at work that was done by the contractor. You anticipated other work was done. All I have is a charge for work that you aren't disputing was done.

Mortimer: I don't have any problem paying for the boarding then. I just have a problem with this salesperson being there telling me they are going to take care of everything

and I went home. I thought they were going to actually secure the building. I went back that night and didn't think they did anything.

Moermond: was it a locking door?

Mortimer: a side door I have a key for. But a week later someone busted the front door in.

Moermond: the door was locked you had a key and you got in. So it was secure by virtue of being locked. They aren't going to screw shut a door with a regular lock.

Yannarely: no, they won't. And again, we are talking about what they charged the City for, which we've disclosed. No additional services you may or may not have contracted for.

Mortimer: I'm trying to say this guy tells you the moon and gets you to sign a piece of paper and then they just walked away.

Moermond: you have an attorney and he isn't representing you in this matter, and is on vacation, from what he told Joanna. We also have the Vacant Building fee in front of us. When you have a fire you get an automatic 90 day waiver. It looks like the fire was the end of the December. We are six months into a 12 month year. It would be for December 2021 through 2022. It looks like you are going to be in the program for the whole year. Does that seem accurate?

Mortimer: yes, it is vacant meaning—I have problems with that too. I am there basically every day.

Moermond: you should maybe approach your insurance company about, or in your other litigation against Res Pro. I don't have a lot of leeway on this. Once you've been in the program for at least six months. I can't prorate it. I hope by December you are out from underneath this. We can talk again about next year's fee if you aren't. I don't have a ton of good news for you today, and I feel badly about that. Would it be helpful to make the payments over a couple years on this Vacant Building fee?

Mortimer: no, I can pay it. I just don't understand it. There was a guy condemning the building before the tenants were even awake. 2 men were sleeping in there, that's how much damage the fire did. The firemen had to wake them up.

Moermond: they shut off the gas and electric and those 2 things alone will get you condemned. I do wish you well.

Referred to the City Council due back on 7/20/2022

2 [SR 22-118](#)

Review Request of Michael Mortimer to Ratifying the Appealed Special Tax Assessment for property at 1762 ENGLEWOOD AVENUE adopted by Council on May 18, 2022 under File RLH AR 22-35. (File No. J2208B, Assessment No. 228107)

Sponsors: Jalali

Approve the assessment (CPH 7/20)

Michael Mortimer, owner, appeared via phone

Moermond: this is Marcia Moermond following up on this. it sounds like you're speaking to an attorney, which is good. Where we left it was you had concerns about the company that did the boarding.

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Moermond: and I need to stop you there, because I don't have control over your relationship with Rest Pro after the initial boarding. We did get you the copy of the contract the City has with Res Pro, because it sounds like you have a complaint with Res Pro about the way they behaved. They may also have violated the City's contract. But those are two separate things. What we would like to see, if you want to pursue something, and we can forward our information to City officials, but it would be helpful if you would write something about what you've experienced and you filing a complaint. Then the City can take action about that complaint. But the City can't work to get your money back or fixing your house, it would strictly be with the City's contract with them. You hiring a private attorney is what you need to do to move forward in a conversation with them.

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Mortimer: I understand. In 2008 and 2012 labor and industry went after them.

Moermond: and you want to talk to others about that?

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Moermond: was it a locking door?

Mortimer: a side door I have a key for. But a week later someone busted the front door in.

Moermond: the door was locked you had a key and you got in. So it was secure by virtue of being locked. They aren't going to screw shut a door with a regular lock.

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Moermond: you have an attorney and he isn't representing you in this matter, and is on vacation, from what he told Joanna. We also have the Vacant Building fee in front of us. When you have a fire you get an automatic 90 day waiver. It looks like the fire was the end of the December. We are six months into a 12 month year. It would be for December 2021 through 2022. It looks like you are going to be in the program for the whole year. Does that seem accurate?

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Moermond: you should maybe approach your insurance company about, or in your other litigation against Res Pro. I don't have a lot of leeway on this. Once you've been in the program for at least six months. I can't prorate it. I hope by December you are out from underneath this. We can talk again about next year's fee if you aren't. I don't have a ton of good news for you today, and I feel badly about that. Would it be helpful to make the payments over a couple years on this Vacant Building fee?

Mortimer: no, I can pay it. I just don't understand it. There was a guy condemning the building before the tenants were even awake. 2 men were sleeping in there, that's how much damage the fire did. The firemen had to wake them up.

Moermond: they shut off the gas and electric and those 2 things alone will get you condemned. I do wish you well.

Received and Filed

- 3 RLH TA 22-219** Ratifying the Appealed Special Tax Assessment for property at 991 FARRINGTON STREET. (File No. VB2210, Assessment No. 228815)

Sponsors: Brendmoen

Delete the assessment (PO will need to be refunded).

No one appeared

Moermond: to be refunded because she paid the assessment.

Referred to the City Council due back on 7/20/2022

- 4 RLH TA 22-236** Ratifying the Appealed Special Tax Assessment for property at 323 FOREST STREET. (File No. VB2211, Assessment No. 228816)

Sponsors: Prince

Reduce assessment from \$2,284 to \$380.

Jason Holm, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: this went into the Vacant Building program as a Category 1 Fire in November 2021. It was given the automatic 90 day waiver. It was rehabbed and occupied May 3 which is 6 months after the Vacant Building program was entered, and 3 months after the waiver. Total proposed assessment of \$2,284

Holm: I'm looking for a reduced costs since we had some variables. It was winter and we ran into issues with Xcel unlocking the gas meter to get heat in there. I feel we rehabbed it extremely quickly given those circumstances. It was a tough time of year to make that happen. We had the fire November 3 and we got the Certificate of Occupancy May 3.

Moermond: I could recommend the Council reduce this to \$380, basically 2 months in the program.

Holm: that works fine. Thank you.

Referred to the City Council due back on 8/17/2022

- 5 RLH TA 22-245 Ratifying the Appealed Special Tax Assessment for property at 467 IVY AVENUE EAST. (File No. J2211B, Assessment No. 228114)

Sponsors: Brendmoen

Approve the assessment and make payable over 3 years.

Inie Clement, o/b/o owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: March 21, 2022 in an effort to vacate a home with numerous orders to vacate, Code and St. Paul Police Department ordered it secured after it was vacated. The total proposed assessment is \$707.11.

Moermond: I've heard this address a number of times in the past few years, most recently was this spring of 2022. Attached to that record are numerous appointment letters from January, February and March wanting access and it couldn't be occupied without a Responsible Party and Certificate of Occupancy. Those orders weren't appealed until after it was vacated. The vacate happened March 21 and the appeal was filed March 23. The boarding was on March 21. Ms. Clement, tell me why you are appealing?

Clement: the cost waived. The reason being phone communication with the inspector. We didn't expect it, we thought it was taken care of through communication. We only heard about a reinspection on March 17. Because of communication, which we had satisfied up to the 25. The appearance for boarding was a surprise to us. The one on the 17th it was cancelled because I provided the information asked for, our requires was approved.

Moermond: what information was that, that you provided?

Clement: to City Council. The inspector asked for information about Victor and his primary residence.

Moermond: I don't want to go in circles on this. The document you are referring to had an address with a Power of Attorney that didn't list his Power of Attorney address as Ivy.

Clement: all that was satisfied by documentation. He came back saying his supervisor was concerned about security since the owner was absent. Who would they contact in an emergency? That is when I said I have Power of Attorney. I provided that Power of Attorney and when I provided it, on it was the wrong information. That is what caused the confusion. I didn't realize that was wrong, I didn't see it. I didn't know there was a problem until the 25. That was a Friday, so I couldn't get ahold of him until Monday. I called Monday, now we are dealing with the security of the property, he said he has already boarded it. I said for what? That is the first time I realized that the Power of Attorney has the wrong address. That was supposed to be my address. We did it in a hurry. The notice I was responsible said they were coming back on the 17th. I saw that late on the 15th and I called him and told him it wasn't vacant. There was recent activity for the house. They may have thought it was empty because no one was expecting them. I am the agent. Not him. He told him that Victor used another

address, which was not true.

Moermond: the reason you have the Power of Attorney is because he is incarcerated. And he will be for some time to come which is why you are Power of Attorney. Do you live at 467 Ivy?

Clement: no.

Moermond: why do you have all your contact information in care of Victor Clement if that is not the correct contact information for you?

Clement: I check there every day.

Moermond: but that is not your true legal address.

Clement: I live in Eagan. Victor's legal address, everything comes to Ivy. Nowhere else.

Moermond: but he doesn't live there right now. You don't live there. There were a number of letters from DSI saying it isn't owner occupied and we want to expect. You are thinking you met the requirement as of March 17 but what I heard in our last hearing is they didn't think you had demonstrated that. In the hearing process we allowed you to correct the record and demonstrate you have the Power of Attorney to manage this as non-owner occupied. At the time of boarding you weren't in compliance with the orders. You believe you were, but they didn't. We already discussed this in March and April. I'm struggling with what circumstances are different now than they were then.

Clement: the information was satisfied well before the 17th. No one had a clue and they were locked out. It wasn't necessary to come out on 21. He had questions and didn't give time to answer those. The concern at that time was security. We had a choice to get a new Fire Certificate of Occupancy. The only reason was security because he wasn't there and I said I had to documentation to prove it was me.

Moermond: and I don't think that was the way of things based on our two hearings in April. You were allowed to correct the information and get it resolved. I'm going to recommend approval.

Clement: we had 2 options according to the inspector and that option was satisfied.

Moermond: I don't think that's an accurate summation. It was determined to be not owner-occupied. You were allowed to have a Fire Certificate of Occupancy. I have 4 inspection letters indicating it had to be compliance or be vacated. They didn't vacate on the 17, they did it on the 21. Each of the letters the expectation was you would get the Fire Certificate of Occupancy. You have what you need now in place, but the problem creating the boarding was created by you not responding to the orders due to you providing incorrect information.

Clement: I even wrote a special request that mail shouldn't be sent to any other address than Ivy. A lot of mail is coming there. If you don't know you are supposed to be somewhere how do you show up? It looks like we aren't responding, but how would we know?

Moermond: the address given in the Power of Attorney and the other documents

appears to be your address on Princeton Trail with his name on it. Each time it was incorrect. We concluded this in April and figured out you need a Certificate of Occupancy. That was issued. You are the Responsible Party for it. I would suggest you give your legal address rather than 467 Ivy. With the respect to this assessment I am recommending approval. You are welcome to ask Council for more.

Clement: Ivy is the address for Victor's mail. Anything from the City has both our names on it.

Moermond: I have a boarding in front of me. That was not appealed. You were notified numerous times it would have to be vacated if not in compliance. I'll recommend this is approved and made payable over 3 years.

Clement: this isn't the only hardship this has created. Mail stopped coming to the house. They towed all the things that belonged to us. They towed all the cars; it has created a hardship.

Moermond: I would suggest you file a claim. We can send you that form.

Referred to the City Council due back on 8/17/2022

6 RLH TA 22-232 Ratifying the Appealed Special Tax Assessment for property at 587 MARION STREET (218 THOMAS AVENUE). (File No. J2211B, Assessment No. 228114)

Sponsors: Thao

Reduce assessment from \$893 to \$440.

Mark Burns, Sagstetter Properties, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Joe Yannarely: the St. Paul Police Department SWAT team went into the property to execute a warrant, which prompted a call to Res Pro to secure. Several hours later the police called back Res Pro to allow access and enacted another fee. The cost of these is a total proposed assessment of \$893.

Moermond: Mr. Burns, tell me what you are looking for?

Burns: the first thing that has always happened is SWAT usually calls us. We give them a key. At any of our properties. We have maintenance on call 24/7. That's what we've done in the past. I don't know why we weren't called to fix the door like normally happens. I don't want other contractors doing our work, we have our people to do that.

Moermond: I think this was homicide. I say that because it's a different level of investigation.

Burns: my understanding from the neighbor is they were looking to serve a warrant on someone who wasn't a tenant of ours. Typically when they look for someone we give them a key. I have sat down there a number of times, particularly the 8 unit next door I gave them an apartment for 2 months to surveil the building across the street. I didn't charge them anything.

Moermond: it was a homicide; the SWAT team broke the door down looking for

someone about that. That shades this differently. We have 2 times it was secured, at least one of those times you could have done. I'd like to cut this in half and say it was an emergency and they were doing what they needed to do outside of the norm. Reopening it was something you would normally handle and I want to give you credit for that. That brings us to \$440. Does that help?

Burns: it helps. But I still had to go down there. They couldn't do the door without my lock. They put some screw in the jam but they didn't board anything.

Moermond: it generically ends up being called boarding when it is boarding and securing. Because of the nature I can see why they wouldn't have reached out. But twice it seems you could have been the ones to do it. I'm sympathetic there. I'll recommend the Council cuts it in half. I do think they were dealing with an emergency situation and had to get in and out in an expedited fashion. If you want more, which is fine, I would say submit additional information to Council. There is information on how to testify on the back of your letter, but we can send that as well.

Referred to the City Council due back on 8/17/2022

- 7 **RLH TA 22-244** Ratifying the Appealed Special Tax Assessment for property at 165 MCKNIGHT ROAD NORTH. (File No. J2211B, Assessment No. 228114)

Sponsors: Prince

Delete the assessment.

Jackie Sherer, o/b/o Villages at McKnight, appeared via phone

Moermond: I have reviewed this file and it looks like it was a welfare check and it is my policy to recommend these are deleted. I don't want there to be a disincentive for people to call.

Sherer: thank you so much.

Referred to the City Council due back on 8/17/2022

10:00 a.m. Hearings

Special Tax Assessments

- 8 **RLH TA 22-216** Ratifying the Appealed Special Tax Assessment for property at 1251-1253 BLAIR AVENUE. (File No. CRT2209, Assessment No. 228210)

Sponsors: Jalali

Reduce assessment from \$399 to \$242.

Margaret Kahnke, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy assessment on a duplex. The total assessment is \$399. Appointment letter went out

December 22, 2021, inspection done January 11, approved February 22, 2022. Bill went out February 24, 2022, 30 days to pay. If they don't, a second final bill goes out, that went out March 28. We received returned mail with a changed address, so we re-billed April 1, 2022. They have 15 days to pay and then it goes to assessment. It looks like the property owner said they tried to pay it online and couldn't, that would be because the check was dated April 28 which is a couple weeks past the due date.

Moermond: what address do you have in your file now? Are they all corrected?

Shaff: yes, 932 Marshall Ave.

Moermond: why are you are appealing today?

Kahnke: I'm requesting the \$157 fee be removed.

Moermond: I am seeing that the information has been updated and it appears to be in good condition, so I will say that in this case I will recommend that your service charge be deleted, so back to \$242 as a courtesy.

Kahnke: thank you, that would be great.

Referred to the City Council due back on 7/20/2022

9 RLH TA 22-238 Ratifying the Appealed Special Tax Assessment for property at 664 SEVENTH STREET WEST. (File No. CRT2209, Assessment No. 228210)

Sponsors: Noecker

Recommendation forthcoming (to review email sent to inspector).

Felix Aleynykov, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: this is a Fire Certificate of Occupancy assessment for a 4 unit building. Total proposed assessment of \$836.50. Appointment letters October 25, 2021 and November 12, 2021. Correction letters November 24, 2021 and January 7, 2022. Approved February 7, 2022. Billing dates February 9 and March 11, 2022.

Moermond: why are you appealing today?

Aleynykov: the problem was I was absent from Minnesota and when I returned back I saw the assessment letter. I was absent because of the war in Ukraine and as soon as I got back I checked my mail. I would like the additional fee be deleted. I emailed the fire inspector February 23 asking some questions but I never got a response. I was expecting to get an email and I didn't. I'm asking the additional fees be removed.

Moermond: do you have the email from February 23?

Aleynykov: I do.

Moermond: could you send that in? Ms. Zimny will send you an email, and if you can

respond with that attachment. I have one follow up question. Was your visit humanitarian? Military?

Aleynikov: humanitarian. I was taking my father back because he lives there, my parents do, and I was gathering his medical kit for Ukraine. It was not planned.

Moermond: and you did reach out to staff, I just wanted to see that email. I'm going to do that and we'll respond via email.

Aleynikov: that would be perfect. 1128 7th street is mentioned in the email but I did write in the email about this property.

Moermond: ok, we'll take a look at that. I'm glad you were able to go and return successfully.

Referred to the City Council due back on 7/20/2022

10 RLH TA 22-247 Ratifying the Appealed Special Tax Assessment for property at 788 CHARLES AVENUE. (File No. J2211E, Assessment No. 228314)

Sponsors: Thao

Continue PH to February 22, 2023. If no same or similar violations delete the assessment.

Steve Ellsworth, owner, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: a notice to remove snow and ice was sent February 3, 2022. It went to Trudy and Stephen Ellsworth and Occupant at 788 Charles. We expect snow removed within 24 hours of the most recent snowfall. Rechecked February 7. The crew went out February 9 and it was done. So this is the charge for dispatching the crew for a total assessment of \$159. Small history, couple garbage orders with no work orders.

Ellsworth: I remember getting the notice for snow removal. My daughter lives there, and she was sick. I don't know which day I got the notice, but I went that day or the next day to shovel. Which is why it was cleared when you went back on the 7th.

Moermond: I think it wasn't done on the 7th but it was done between the 7th and 9th.

Ellsworth: right, yes. I looked at the photos this am. It definitely wasn't done then. I don't know when I received the information in the mail but it could have been the 7th. it takes a few days to get here. As soon as I got it I went the next day. That's why it was done when the crew went out. Basically as soon as I knew, I did it.

Moermond: this is your daughters place?

Ellsworth: she lives there. I own it.

Moermond: it snowed. Is she supposed to shovel?

Ellsworth: she is.

Moermond: it seems like something that should just happen.

Ellsworth: right. She was sick at the time and couldn't get out to do it.

Moermond: and didn't call you to ask for help?

Ellsworth: of course not, spoken as a father.

Moermond: sounds like asking your daughter to pay may be tricky. It looks like you're getting letters and taking care of business. You get the letters and take care of it.

Ellsworth: most of the trash stuff is stuff that was dumped.

Moermond: but she isn't taking care of it, you are.

Ellsworth: right.

Moermond: you need to get her monitoring the property better.

Ellsworth: tell me something I don't know.

Moermond: I can only create an incentive for that to happen. Perhaps this is something she gets to pay for if there is failure. Right now you have \$159 assessment. If you can have no same or similar violations by February 22, 2023, six months after your hearing August 17. If no same or similar violations I'll recommend this is deleted. If there is a violation, I'll recommend approval. That means garbage, dumping, mowing, shoveling. Usual maintenance things.

Ellsworth: that sounds extremely fair.

Referred to the City Council due back on 8/17/2022

- 11 RLH TA 22-243** Ratifying the Appealed Special Tax Assessment for property at 662 EDMUND AVENUE. (File No. J2211E, Assessment No. 228314)

Sponsors: Thao

Delete the assessment.

No one appeared

Moermond: delete, no letter was sent, right?

Supervisor Lisa Martin: correct.

Referred to the City Council due back on 8/17/2022

- 12 RLH TA 22-228** Ratifying the Appealed Special Tax Assessment for property at 1710 REANEY AVENUE. (File No. J2227A, Assessment No. 228532)

Sponsors: Prince

Continue PH to February 1, 2023. If no same or similar violations, reduce assessment from \$450 to \$100.

Amy Christiansen, owner, appeared via phone

Moermond: we're following up on 1710 Reaney. I have Supervisor Lisa Martin on the line. [Moermond gives appeals process again]

Staff update by Lisa Martin: March 8, 2022 a Summary Abatement Order was issued to remove furniture, it wasn't done. There were charges for a total assessment of \$450. Sounded like the owner reached out to the garbage company, which was confirmed, but it wasn't picked up.

Moermond: we found out you had made a call February 14 to pick up 3 items, but they didn't get a call in March.

Christiansen: we had been purchasing new furniture and as the furniture went out we called to have it picked up. I don't have record of the times I called but I know I called. I'm confused. I'm not sure where I'm supposed to put things while I'm waiting for the pickup. We are getting these letters while we wait. You say there's a history, we are not a problem property and take a lot of pride in it. I'd like some guidance as to what I do while I'm waiting.

Moermond: you were buying new furniture and remember you were calling as you got the new furniture in. The hauler records show you did make a call for 3 pieces in February and this was the following month. They don't have a record of a call in March. We're operating off you remember too, which is totally fine. With respect to where you put things, they follow where to put the garbage and the hauler gives instructions as to when.

Martin: we suggest keeping it in your garage. They typically give a day because it isn't done the same day as the garbage.

Christiansen: there's no room. I'm not going to leave my vehicle parked outside with all the catalytic converter theft. I can try and hide it better.

Moermond: did you try to reach out to the inspector to let them know you had called for a pickup?

Christiansen: I did not.

Moermond: I think that is probably the most straightforward thing. Say you are aware and you've already called the hauler, and they said they will pick it up on X date, can I have an extension to then?

Christiansen: yep, I'd be happy to do that.

Moermond: they hear that all the time. It is a thing you would get time for. Ms. Martin, what do inspectors do?

Martin: we at least give another week. We do the same thing with those green Bagsters. Or you can appeal.

Moermond: so a couple things. Picking up the phone is the best place to start. I see 2 orders in 2019 and neither resulted in cleanup by the City. May of 2021 again no City work. November 2021 and March of 2022 the City did. I'd like to create an incentive for there to not be issues moving forward. I'd like to get this down to \$100. You have a public hearing August 3, I'm going to ask them to look at this again February 1, 2023

and if there are no same or similar violations I will recommend it is reduced to \$100.

Christiansen: I guess that's ok. I'm just kind of frustrated. I understand what you are seeing from your perspective. Drive by right now, my yard is kept up, especially compared to the neighbors. I am not trying to call out anyone else and get them in trouble. The neighbor has had a chair in his driveway for 3 weeks. I'm just saying, it is obvious we take good care of it. I've cleaned up stuff left by people in the alley. I'm frustrated with it. I guess if I have to pay that, it is what I have to do. We shovel for our neighbors; we blow others' driveways. We take pride in our yard. I guess that's all I will say.

Moermond: I do appreciate that. I am able to get rid of \$350 worth and I fully believe you won't have any issues. I know if I drove by it would be in good shape.

Referred to the City Council due back on 8/3/2022

13 RLH TA 22-213 Ratifying the Appealed Special Tax Assessment for property at 902 THOMAS AVENUE. (File No. J2227A, Assessment No. 228532)

Sponsors: Thao

Continue PH to February 8, 2023. If no same or similar violations, reduce assessment from \$562 to \$281, made payable over 2 years.

*Esperanza Lato, owner, appeared via phone
Jessica Nioah, daughter, appeared via phone*

Lato: can I call my daughter? English is not my primary language.

Moermond: of course. [Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order issued March 3, 2022 to occupant and owner to remove and dispose of scrap wood and debris from the parking lot area. Compliance date of March 10. Rechecked March 11 and March 17. No returned mail. Work was done March 21 for a cost of \$562. Little bit of history here, no work orders issued.

Moermond: tell me why you are appealing?

Lato: my husband was gone and we asked someone to clean the garage. They did nothing. We don't have much money.

Nioah: we do have someone in the house that does all of that. That is supposed to do the maintenance. We would just like some guidance in how to approach this because it is a lot of money and we don't have much.

Moermond: It was a fair bit of removal. I see we've had orders in the past and you've taken care of it. But the City shouldn't be writing orders to begin with. It should just be taken care of. I'd like if the City doesn't have to issue orders anymore but I do need to recoup some of the cleanup costs. The Council looks at this August 3, 2022. I'm going to ask them to refer the matter to February 8, 2023. If you haven't had any problems, I'll ask them to cut this in half, \$281, payable over 2 years. But we need to not have any problems at the property. Keep it shoveled. Keep the grass mowed. No garbage and debris in the yard. Is that something you can do?

Lato: yes, thank you so much. If something happens could you send an email? I'm not good with the mail.

Martin: you can always call the inspector for an extension but legally we do have to mail them to you.

Referred to the City Council due back on 8/3/2022

- 14 RLH TA 22-242** Ratifying the Appealed Special Tax Assessment for property at 1685 UNIVERSITY AVENUE WEST. (File No. J2207P, Assessment No. 228406)

Sponsors: Jalali

Delete the assessment.

Moermond: there was a waiver on file, but it was also the wrong address.

Supervisor Lisa Martin: yes.

Referred to the City Council due back on 8/17/2022

- 15 RLH TA 22-248** Ratifying the Appealed Special Tax Assessment for property at 1778 MARGARET STREET. (File No. J2211E, Assessment No. 228314)

Sponsors: Prince

Continue PH to February 22, 2023. If no same or similar violations, reduce from \$159 to \$80.

Miriam Azzazi, property representative, appeared via phone

[Moermond gives background of appeals process]

Staff report by Supervisor Lisa Martin: Summary Abatement Order to remove snow and ice. Orders February 4, 2022. 24 hours to comply. Rechecked February 8. Work order February 10 and it was taken care of by the owner. Total assessment of \$159 to dispatch the crew. No returned mail. Small history, no work orders issued.

Moermond: why are you appealing?

Azzazi: there have been numerous mail delays in general. I don't even know if we had it by February 8. The tenant is responsible and I did call her and tell her to, she said the plows blocked the corners, so she did it again.

Moermond: and the law is 24 hours

Azzazi: she said she did it.

Moermond: it was clear when the crew arrived.

Azzazi: I probably got it February 8 or 9th. If you mailed it on a Friday no chance I'd have it that fast.

Moermond: and I go back to the law.

Azzazi: did you take pictures?

Moermond: we did on the 8th, it looked like it had been walked on a lot.

Azzazi: this is a house; the tenant is supposed to do it.

Moermond: and that's a private contract between you and your tenant. They hold the owner responsible. Is the same tenant here?

Azzazi: yes, she's been here a long time.

Moermond: I have limited sympathy on the 24 hour expectation. It was clear in the orders. Your hearing is August 17 and I'll ask them to continue to February 22, 2023 and if there are no same or similar violations I'll recommend it is reduced by half, to \$80. If you want more, you can testify and do that. Make sure you let the tenant know the lawn needs to be mowed, needs to be shoveled, pick up the garbage.

Referred to the City Council due back on 8/17/2022

- 16 RLH TA 22-249** Ratifying the Appealed Special Tax Assessment for property at 905 WHITE BEAR AVENUE NORTH. (File No. J2211E, Assessment No. 228314)

Sponsors: Yang

Approve the assessment.

Miriam Azzazi, property representative, appeared via phone

Staff report by Supervisor Lisa Martin: snow and ice on sidewalk. On white bear the plows go through and owners or occupants need to make sure people can pass at any time. From the photos it would be hard for someone in a wheelchair to get by. Orders were sent January 11, 2022. We did send a work order and the crew got there January 26 and the work was done by the owner. Small history. One for June 28, 22 which is pending, March 7, 2022 snow with no work order, December 21, 2022 garbage, no work order, and January 11, 2021 graffiti. Total proposed assessment of \$157.

Moermond: why are you appealing?

Azzazi: my husband is the one who does these and he was out of the country. We asked the backup person and they were sick. So I had to call a caretaker out of St. Paul park since we were out of the country. So we weren't really aware. Then we saw the notice when we got back and got it taken care of. We'd like to fight this off. We were out of town, the backup was sick, and we took care of it with a different caretaker when we got back.

Moermond: there were two weeks between orders and when it was taken care of.

Azzazi: because we were out of the country.

Moermond: it was also 2 weeks that people going by had to live their lives and deal with this.

Azzazi: but the backup person was also sick.

Moermond: I guess I don't understand how that makes you less responsible for it.

Azzazi: we did have contact with the person who was sick, or anyone checking the mail. We didn't even get back in the country until January 18. Someone else was sick and they didn't tell us. Normally my husband does it.

Moermond: I look at this and I think the City experienced the cost of deploying the crew. The cost of that I need to figure out how much of that should be borne by the taxpayers at large vs. the private property owner. I understand why it happened; I just don't know why it should become the problem of the taxpayers at large. The previous case it was a single person, deadlines were tighter. Here it is an apartment building, a busy road, more impactful. It has a larger implication. I'm going to recommend approval. Council could look at it differently.

Referred to the City Council due back on 8/17/2022

Special Tax Assessments-ROLLS

- 17 RLH AR 22-61** Ratifying the assessments for Collection of Vacant Building Registration fees billed during July 27 to February 16, 2022. (File No. VB2211, Assessment No. 228816)
Sponsors: Brendmoen
Referred to the City Council due back on 8/17/2022
- 18 RLH AR 22-62** Ratifying the assessments for Securing and/or Emergency Boarding services during March 2022. (File No. J2211B, Assessment No. 228114)
Sponsors: Brendmoen
Referred to the City Council due back on 8/17/2022
- 19 RLH AR 22-63** Ratifying the assessments for Excessive Use of Inspection or Abatement services billed during January 20 to February 18, 2022. (File No. J2211E, Assessment No. 228314)
Sponsors: Brendmoen
Referred to the City Council due back on 8/17/2022
- 20 RLH AR 22-64** Ratifying the assessments for Graffiti Removal services during February 28 to March 29, 2022. (File No. J2207P, Assessment No. 228406)
Sponsors: Brendmoen
Referred to the City Council due back on 8/17/2022
- 21 RLH AR 22-65** Ratifying the assessments for Removal of Dangerous Tree services during March 2022 at 1032 Jessie St. (File No. 2206T, Assessment No. 229005)
Sponsors: Brendmoen

Referred to the City Council due back on 8/17/2022

11:00 a.m. Hearings

Summary & Vehicle Abatement Orders

- 22 [RLH SAO 22-29](#) Appeal of Sally Klein to a Summary Abatement Order at 769 HAGUE AVENUE.

Sponsors: Thao

Layover to LH 7/12 at 11 am (requested by PO).

Laid Over to the Legislative Hearings due back on 7/12/2022

Making Finding on Nuisance Abatements

- 23 **RLH SAO 22-20** Making finding on the appealed nuisance abatement ordered for 689 TUSCARORA AVENUE in Council File RLH SAO 22-18.

Sponsors: Noecker

The nuisance is partially abated (will be referred to DSI for clarification of compliance).

No one appeared

Moermond: we got information from Kedrowski on this?

Mai Vang: per his email some items were removed from the rear yard but the temporary structure still remains and there is still storage, as well as a trailer full of trash on the garage apron, and a pickup full of trash. He attached photos.

Moermond: we're talking about scrap wood and lumber and the other stuff might be new. Let's say it is partially abated and instead of it being closed say referred to DSI for clarification for compliance.

Referred to the City Council due back on 7/20/2022

- 24 **RLH SAO 22-28** Making finding on the appealed nuisance abatement ordered for 1798 JAMES AVENUE in Council File SAO 22-24.

Sponsors: Tolbert

The nuisance is abated and the matter resolved.

Mai Vang: all trash has been removed from yard. It has been abated.

Referred to the City Council due back on 7/20/2022

1:00 p.m. Hearings

Vacant Building Registrations

**25 RLH VBR
22-29**

Appeal of Scott Bradley to a Vacant Building Registration Notice at 820 OCEAN STREET.

Sponsors: Yang

Grant to September 1, 2022 for compliance with the June 28, 2022 Fire C of O orders. Waive VB fee to September 1, 2022.

Scott Bradley, owner, appeared via phone

Moermond: we're following up about your property at 820 Ocean. Last we spoke we were looking for the Fire Certificate of Occupancy inspection so we could have a grasp on what needed to be done and any necessary extensions.

Supervisor Leanna Shaff: inspector Thomas did make entry. All the exterior wood needs to be maintained in a professional matter, smoke detector affidavit, some repairs on door trip and call out on the drier vent. He has preliminary set that appointment for July 28.

Supervisor Matt Dornfeld: I have nothing to add.

Moermond: I have a list that aren't the most serious repairs in the world. You were given about a month, is that a realistic deadline for those repairs?

Bradley: yes.

Moermond: so I'm going to say stick with that reinspection date, and I'm going to give an extension to September 1. If on your July inspection they find something that needs to be inspected again, you will have another chance and still be in deadline. I want that buffer in case you need it. I'm going to recommend you get out of the Vacant Building program. Keep your July reinspection. You have an extra month to get things done. Any questions?

Bradley: no. Mr. Thomas explained things well, I have no questions.

Referred to the City Council due back on 7/20/2022

26 [RLH SAO 22-30](#)

Appeal of Darleen Tareeq to a Summary Abatement Order at 657 CANTON STREET.

Sponsors: Noecker

Layover to LH July 12, 2022 at 1 pm. PO to submit paperwork on gas/plumbing and electrical work and smoke cleanup. Staff to follow up with Xcel about gas and electric service interruptions.

Darleen Tareeq, owner, appeared

[Moermond gives background of appeals process]

Staff report by Supervisor Matt Dornfeld: this was referred to the Vacant Building department due to a fire late November 2021. At the time of the fire the property was condemned by AJ Neis due to smoke damage and also for improperly installed gas lines he documented. We made it a Category 1 Vacant Building. Held the fee 90 days.

Since then I didn't notice occupancy, I am not saying there wasn't. I didn't see anything until early June in which I have issued multiple Summary Abatement Order to vacate and secure. There is also a trailer being stored in the driveway. I upgraded it to a Category 2 Vacant Building due to length of open permits and danger of having illegal gas lines along with electrical issues. We did recently receive a complaint from the St. Paul Police Department recently about possible police activity at the home. I did document all of this in the file.

Supervisor Leanna Shaff: nothing to add unless you want to go over the extent of the fire damage.

Moermond: what I'm remembering was there was a condemnation because of smoke damage as well as electrical and gas-line issue. I did see a red tag on the gas line and no permits for corrections. Ms. Tareeq, please explain your perspective because you say there were permits for correcting. Because of the red tag I would have expected the gas to be shut off, especially since there was a fire. Mr. Dornfeld, you reached out to Xcel and learned what?

Dornfeld: I did call Xcel today and spoke with a customer service agent who said both gas and electrical service has not been interrupted to date. My interpretation of that was it has been on the entire time.

Moermond: so we have contradictory information we need to sort through. Ms. Tareeq, tell me what is going on

Tareeq: I had that 90 days, so we had an electrician go out and I had another inspector out, his name was Isaac. After the smoke damage was cleaned up, the electrician inspected the room the fire was in. The smoke damage was upstairs. That got cleaned up. My power and gas were off, they turned it back on after he inspected the lines and electric. Isaac came out and told me to take a photo of the smoke detectors, which I did, and sent it to him. We reoccupied this back in January. When I got the Summary Abatement Order it was the first I heard about my house still being a Category anything. I'm there with my small children living in the home.

Moermond: what company was it?

Tareeq: it was an electrician. It was my uncle and ex-husband doing the contact. He's in Palestine right now, and my Uncle Russell. It was his buddy and I tried to get ahold of them on Friday when Mai said she wanted to see receipts. This was six months ago, I probably tossed them. I didn't know it was an issue a week and a half ago. It was a holiday weekend.

Moermond: I think when we last spoke we talked about pulling permits to do that work and we aren't finding any. In lieu of those permits we were looking for documentation about who did it and trying to sort through this. The last electric permit I see was 2012.

Tareeq: I didn't buy it until 2013 and we had to do hard wired smoke detectors. There had to be permits for that

Moermond: that was approved July 2012.

Tareeq: I thought Isaac had this information.

Moermond: he's with DSI?

Dornfeld: Stensland? Does that sound familiar?

Tareeq: I think I have his number. 283-5415. That was his cell.

Moermond: we'll also connect with Xcel about that. Red tagging without a permit wouldn't be normal practice. There were a couple other things in the order that Mr. Dornfeld mentioned. He said you have illegal vehicles and some garbage.

Tareeq: it is mostly cleaned up. The week he gave me the Summary Abatement Order and it was super hot; I couldn't work in it. That was part of my first appeal, I needed some more days. The Lincoln isn't inoperable. My husband is in Palestine. It is moved, it got moved today. The camper is mine. It is in my driveway.

Moermond: I don't see a problem with the camper.

Dornfeld: the tire is flat. It was inoperable but apparently it is no longer.

Moermond: got it, part of the "all vehicles" part.

Dornfeld: it is a neighborhood concern; I can tell you about that.

Moermond: so there is a bit of a microscope on this. You need to get your paperwork together and we'll come to some conclusions about whether it can be occupied. We need to sort through this properly and we don't have the right information to do that. Same time next Tuesday at 1:00. In the meantime, identify who did the gas and electric work, and the smoke cleanup.

Tareeq: ok. I'll try to find out the date Xcel came out too. They did come out.

Moermond: we will follow up with them and go up the chain of command to get better information. We need to handle this carefully, but I think we will get to the other side.

Laid Over to the Legislative Hearings due back on 7/12/2022

1:30 p.m. Hearings

Orders To Vacate - Fire Certificate of Occupancy

- 27 **RLH VO 22-17** Appeal of Sharon Kennedy and Michael Garcia, Tenants, to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 776 BUSH AVENUE.

Sponsors: Yang

Grant an extension to July 21, 2022 for property to be vacated.

*Assumpta Sirri, owner, appeared
Sharon Kennedy, tenant, appeared*

Tried calling attorney Steven Coon at 1:22 pm: this is Marcia Moermond from St. Paul City Council calling you about an appeal for 657 Canton

Tried calling attorney Steven Coon at 1:52 pm: this is Marcia Moermond from St. Paul City Council calling you about 776 Bush. I gave the wrong address earlier. We do have folks here for 776 Bush, Sharon Kennedy, and Michael Garcia. I am going to begin this appeal now. We'll move forward with that and can copy you on the follow up information if we get your contact information.

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: first letter for this Certificate of Occupancy went out early November 2021. It started with Inspector Franquiz and has been reassigned to Almstead. We have had difficulty getting access. The property owner has requested many reschedules and can only come on Wednesday. The property owner hasn't done much to the property since the initial inspection December 15. We have been told by the property owner she has filed for eviction but we have no proof of that. It is a drawn process on all of this. There are some active permits, there is a remodeling permit from October 2021. Gas, electrical, warm air, all from March 2022. There are quite a few orders and the inspector said realistically nothing has been done which prompted this revocation. The revocation letter went out May 25. Many exterior items. Damaged entry stairs, windows with damaged frames, worn surfaces, chipped paint, dryer duct, loose gas line near dryer. 26 orders against the building. The Fire Certificate of Occupancy was revoked for long-term noncompliance because we can't seem to make any headway on the building.

Moermond: I'd like to hear from the appellant, Ms. Kennedy.

Kennedy: when we first moved in we were coming from a homeless shelter. We saw it on FB, we got our housing worker and County together and they said it was ok. we did a \$1700 deposit, and 1700 for the rent. We moved in in August and I realized something was wrong. The ceiling started cracking, the pipes above the kitchen sink he put big holes in the wall. We never could get to the front door, I said something wasn't right, so I called the City. I said I'm afraid I was going to take the blame. They told me I could call SMRLS. She got mad at me and gave me an eviction notice. She has been doing some painful things. She wouldn't fix the washer and dryer. We find her sister in the basement getting naked. Our clothes were donated, we were washing by hand. The contractor she hired didn't have a license. He threw the debris from upstairs to the ground. My boyfriend went to jail, so I was going to apply for money for rent. She shut my water off, my Xcel bill was like \$4,000. She won't fix the plumbing. I have fruit flies all over. She's been collecting rent, she owes 13,600. All the contractors were going upstairs, they said they weren't supposed to fix the house. She filled up the can with debris, so we couldn't take the trash out. I had to go buy a washer and dryer. I'm on a life support system, I can't afford to have my power turned off. I didn't do anything to her. The asbestos was coming from the hole in the wall. She's been attacking me more and more. We did find a place. I'm asking for more time; I want to wash all our stuff. People were breaking in and stuff was all stained. She won't do any of the orders. She said I won't let anyone in, I know Efrayn. She would tell me they were coming the night before. She kept blaming me. We are in court right now. We have felonies and backgrounds so we have to pay extra.

Moermond: I need to go back to the orders in front of me. At the City level what I can look at are the concrete things in the letter with corrections that need to be made. The back and forth and allegations and conversations about eviction and all of that, that is something that would be addressed in district court. Sounds like you are pursuing that there.

Kennedy: I never saw any paperwork. Efrayn came in and said the last guy came and asked if was fixed yet, I said no. We found a place, but we can't move in until next month.

Moermond: you said you needed the money to get another place to live. Does that mean you have the money to move now?

Kennedy: no, we don't. We just found a place yesterday. We have to give more for first and last month. We've been looking for months. I told her what was going on and she said she would give us a chance. We need our money back.

Moermond: you need the money she allegedly owes you to get into this new place. I understand. Anything besides an extension on the vacate date?

K: no, we also will use that time to clean up. 30 days is what I'm asking.

Moermond: I'm going to turn it over to Ms. Sirri to find out what you are looking for today?

Sirri: thank you for the opportunity to speak concerning the building. Sharon is my tenant and I became empathetic with the situation. She told me she was on life support, homeless, her grandson was shot, and afraid of Covid. I pitied her and told her to move in. I allowed her to move in and I have pictures from before she moved in. I acquired this property May 17, 2021 and the owner was living in the home. Before she moved in we did a walk through with her and she approved. It was in good shape. The same day she moved in she broke the doors. Her worker can attest to what she did. She broke the doors. No one has given me money to repair the doors. She said she was going to. They broke into the garage. They broke so many things. I have a list of contractors she has refused to let them come in. More than 10 contractors. I pay a dispatch fee each time. I have MN home energy to install heating and cooling int eh building. They've come 3 times. She locked the door. They waited 2 hours and she wouldn't open the door. The dumped trash in the yard. We cleaned the dumpster from my contractors.

Moermond: you have a lot of things you are saying about actions making things worse. I heard previously about an eviction action you may have filed. Is there one?

Sirri: May 20 the judge ruled I have the authority to evict her. I wanted to let her move gently. She refused. I haven't confronted her; I haven't argued with her. Every time I go out there she's confrontational. She locks the door; we can't get access. There is poop in the basement.

Moermond: going back to the eviction, it sounds like your motion was granted. What are your next steps?

Sirri: Sharon should leave so contractors have access. She has allowed one contractor in.

Kennedy: we are still in trial.

Sirri: they said it can't be repaired with someone living there.

Kennedy: we are still in trial.

Sirri: it is done, she didn't show up.

Kennedy: she has even cut my water off. We are still in a trial, otherwise I would have been out within 24 hours. We would have been put out by the sheriff by now. We are trying to get out as soon as possible. It is her word against mine. I have proof of everything she does.

Moermond: and I'm not hearing all that. I'm looking at a long list of things that needs to be done, a long period of time in which things haven't occurred. There's a dispute about why things have not been completed. That is a matter for district court. I need to look at whether it is appropriate for the City to remove the Certificate of Occupancy for long-term noncompliance and if that happens it needs to be vacated. Ms. Shaff, any comments?

Shaff: it is obvious this is a matter for district court, however in the interim we can't just continue going down a road where things aren't getting fixed, no matter who is causing the issue. We took enforcement because it was the only action we had anymore. I would like to go forth with the enforcement action so we can get this building into compliance.

Kennedy: I'll be homeless for nothing? We didn't even do this. We're just going to be homeless? We're just asking for time; our apartment is available in August.

Sirri: I am paying the mortgage.

Kennedy: lady, you weren't supposed to be collecting rent.

[argument ensues between Kennedy and Sirri and security is called]

Sirri: you threatened me with a knife.

Kennedy: you're lying. She lied, she did us dirty from the beginning. She never even had a Certificate of Occupancy. You shouldn't have even rented to me. You lied to me. I never would have rented your apartment.

Sirri: you are the liar.

Kennedy: you don't even have a Certificate of Occupancy. You shouldn't have even rented to me. You shouldn't have advertised it. We were homeless, you told us it was okay.

Sirri: you refused the inspectors how many times?

Kennedy: they came and fixed the upstairs, not the downstairs.

Sirri: how many times did you refuse Inspector Efrayn?

Kennedy: none.

[more arguing]

Kennedy: that's why you're trying to get me evicted here because you can't win at trial. I'll win because you're lying.

Sirri: you are lying.

Kennedy: we just want time to get out of there. She's lied since the beginning.

Shaff: it would be in your best interest to just sit down and be quiet and listen to Ms. Moermond.

[Kennedy argues back]

Shaff: stop. Stop. Let Ms. Moermond run her room.

Kennedy: all she does is lie.

[Kennedy leaves room]

Moermond: I cannot see the signs you are holding. Here is where I'm at with the situation. You were out of control arguing with each other. You were not listening to me giving instructions about taking turns speaking. I cannot conduct a hearing with that going on. I'm making a decision now. Ms. Kennedy was granted through June 30, 2022 to occupy the property. Whatever is going on in District Court is a court matter, I am not involving myself in it. What I can say is that the revocation of the Certificate of Occupancy vacate date of June 30 I am granting an extension. That extension is through July 19. That is when the property needs to be vacated. So if an inspector comes buy on July 20 it should be emptied at that point. It will be referred to the Vacant Building program, so if you have not vacated it will be secured and boarded and you'll need to find a time to go in and get your things removed. Actually July 21. I'll put this in front of Council July 20 for public hearing. I will not engage in the kind of dispute that you have yelled at each other. I will not have that going on in this hearing room.

Referred to the City Council due back on 7/20/2022

28 RLH VO 22-18

Appeal of Lisa Lindorff to a Correction Notice-Reinspection Complaint (which includes condemnation) at 75 DELOS STREET EAST, APARTMENT D.

Sponsors: Noecker

Grant to August 1, 2022 to have electrical service restored or property must be vacated.

Lisa Lindorff, tenant, appeared in person

[Moermond gives background of appeals process]

Staff report by Supervisor Leanna Shaff: June 24, 2022 Unit D was included in the Xcel energy shut off list. On the 28th of June inspector Caballero was there and spoke with the appellant and placarded the unit. Basically to restore the electricity. It is a condemnation.

Moermond: it has probably been a while that the power was off?

Lindorff: I have been at my mother's helping. I was there to meet my grandson. I've tried all the emergency assistance. It was all within a week of that time when it got shut off. I went to CAPRW and they referred me to welfare assistance, that is pending. They told me to call some other places like catholic charities, neighborhood house.

211 told me they couldn't help me. I really don't want to move; I've been there 18 years.

Moermond: how big is the bill?

Lindorff: like \$3,000. It is high.

Moermond: so it has been a long time since you've paid the bill.

Lindorff: I get \$120 a month and I take care of my blind and autistic granddaughter who is now 19. That's all I get paid. My ceiling collapsed on me in the bedroom. The kitchen is now moldy. I didn't even know the power was off until I got in there.

Moermond: and Xcel usually waits before they refer a property to the City.

Lindorff: I spoke with them and told them my situation. She gave me numbers too. I told her I could pay maybe \$5 a month. I'm waiting on County welfare to see.

Moermond: where have you been staying?

Lindorff: my mother's place.

Moermond: is that a place you can live? This can't go on indefinitely.

Lindorff: I'd have to search for somewhere.

Moermond: I understand you've been living without electric and I'd guess it has been a month or six weeks.

Lindorff: yeah and I haven't been there.

Moermond: I'm going to recommend you have to August 1 to get electric restored or vacate.

Lindorff: that sounds reasonable.

Moermond: that long and no longer.

Referred to the City Council due back on 7/20/2022

2:00 p.m. Hearings

Fire Certificates of Occupancy

- 29 [RLH FCO 22-51](#) Appeal of Michelle Lewis, Faith Lutheran Church ELCA, to a Fire Certificate of Occupancy Correction Notice at 499 CHARLES STREET.

Sponsors: Thao

Layover to LH July 26, 2022 at 2 pm. Property rep to develop plans for alternate means of compliance to be discussed with Fire & Legislative hearing staff. Property to be reinspected.

Michelle Lewis, o/b/o Faith Lutheran Church, appeared via phone

[Moermond gives background of appeals process]

Moermond: we have an unusual situation with the case where you came into compliance with the orders, and now you are asking to not comply. I don't know if staff should have taken your appeal, but we can talk this through.

Staff report by Supervisor Leanna Shaff: this was a Certificate of Occupancy conduction by Inspector Gavin. I am guessing the item in question are the sanctuary exit doors. He cited that fire Code to remove unapproved locks from the exit doors and they must be able to open from indoors without keys or special knowledge. There were deadbolts on the exit doors.

Lewis: yes, we removed to come into compliance. We'd like to put them back in with stipulations. It is only used on Sundays or with wedding or funerals which we have few. We'd put into our procedures to unlock those doors and post signage saying they must remain unlocked when sanctuary is in use. We are asking for this because we are working with Recovery Café Frogtown and they are renting the downstairs assembly hall. The hallways downstairs lead up to the sanctuary. We are trying to prevent them from having access when the sanctuary isn't in use. We have our silver and brass sets up there. They are locked up but we don't want people to have access when Recovery Café is in session and the sanctuary is not in use.

Shaff: have you spoken with a designer or someone like that to design something other than a deadbolt lock?

Lewis: we have tried everything and found out with the solid wood doors we have we would have to take away from the integrity of the natural woodwork and install another type of door. This is historic with the building and we'd rather not due that. We are willing to work it into our opening procedures about making sure the deadbolts are unlocked and putting up that signage. We need to protect our church. We have original stained glass windows in there from Germany.

Shaff: right, but please understand for an assembly use exiting is paramount. The biggest variable we find in our jobs is people. So it is great to have an opening procedure, but we don't trust it is absolutely followed every time. And if those doors are padlocked that is a lot of lives potentially lost or changed.

Lewis: the deadbolts were installed so they can be unlocked from the sanctuary side.

Shaff: code is explicit that you don't require special knowledge. It is usually opening the door or a panic door. Have you talked to more than one company?

Lewis: we've spoken with one and in order for our church to get the push bars on we were looking about \$800 per door and we are at the point where financially our doors our set to close in March. We're trying to do everything we can to keep our doors open, but we'd like to make sure our sanctuary is safe. Recovery Café is now 2 days a week and August 1 they will be 5 days a week with extended hours and AA meetings.

Moermond: have you considered a security system?

Lewis: we have cameras. They aren't in that back hallway; they are at entrances and inside main common areas. We do have one in the sanctuary, but it doesn't pick up both doors.

Moermond: so an expansion upon your existing system.

Lewis: yes, it would. Majorly. 9 out of 10 times I'm the one opening the church. I'd be willing to put the kickstand levers down on the doors during service. We just want to protect the sanctuary when it isn't in use. I don't know when the last Fire inspection was but apparently those locks have been on there for 5 years. it was never brought up before.

Moermond: March, May, and June and I didn't get an appeal until after you fixed it and decided you didn't want it fixed.

Lewis: March is when Gavin did the first inspection. I'm really trying to work with the City but I'm also trying to protect the church I've been a member of for 62 years.

Moermond: and I'm concerned about egress in an emergency.

Shaff: it sounds like when you say getting a push bar is \$800 and you don't have the finances, we can't design for you. Extreme discomfort that people could be locked in and all it takes is one mistake. The code is minimum requirements. That's a D-. We're talking about a minimum code requirement here.

Lewis: what if we got a handle lock, one way out but in order to get back in you would need a key code? Would that be acceptable?

Shaff: I don't know without seeing it. Is that an exit for the other area?

Lewis: no.

Shaff: did you give a proposal in writing to Inspector Gavin?

Lewis: I did ask her and she didn't know.

Shaff: typically we want it in writing for evaluation.

Moermond: let's get a proposal and perhaps some diagrams and proposal in play. I'm willing to entertain an alternative means of compliance but I don't know you'll get one. I'm willing to look at it. I'd want Gavin in conjunction with a supervisor to review this. I'm really concerned about emergency egress. I hear fear of theft of possession but I need to worry about safety of the lives.

Lewis: right, yeah. It is only used an hour on Sunday mornings.

Moermond: and you are worried because you don't trust your tenant?

Lewis: not just them, it's the neighborhood. Someone broke in and stole the previous silver communion set. They accessed the room and pried open the cabinet door and stole the silver set.

Moermond: ok. No deadbolts. What does Ms. Gavin's schedule look like in July, Ms. Shaff?

Shaff: she may have some time next week; I'd have to confirm with her.

Moermond: you two confirm and get back to Ms. Lewis about some times to meet

onsite and review your concerns and give her the opportunity to present a couple written options.

Shaff: I'm going to ask Mitch Imbertson to be the one who walks this, rather than myself.

Moermond: sounds good. I'll continue this to July 26 so there's a chance for everyone to connect.

Laid Over to the Legislative Hearings due back on 7/26/2022

**30 RLH FCO
22-56**

Appeal of Sandra Lou to a Correction Notice - Complaint Inspection at 38 MARYLAND AVENUE EAST.

Sponsors: Brendmoen

Grant to August 1, 2022 for compliance.

Sandra Lou, owner, appeared
Sophia Dong, Interpreter, appeared

[Moermond gives background of appeals process]

Lou: I would ask for a delay of the time so I can prepare to fix the house.

Staff report by Leanna Shaff: we received a complaint on June 8 of rodent issues, light fixture not working, and the ceiling was falling down. Inspector Harriel responded and he found that there were a few items and wrote the owner needed to provide pest control, and repair or replace the missing kitchen cabinet doors, and repair or replace the south bedroom light fixture. Reinspection date of July 14.

Lou: I would like to reschedule that because I have too many things to do and the tenant has too many people. I want to fix the house.

Moermond: you want an extension to complete the work and it sounds like you pay not want to do the work?

Lou: I want to do the work. I am responsible for my property. There are too many people and I put the no renew least May 31 but they won't move out. They told me they wanted to move in March. I already had the pest control come in one time already. The cabinet I have fixed many times already. They keep breaking it. I plan to sell the house after they move it. They don't pay rent and I can't afford it. I am a single mom; I don't have money.

Moermond: when are they leaving?

Lou: he told me before February 1. I sent a 60 day notice to April 1. No wait, May 31 was the last day but they didn't move. I processed eviction June 2. I have went to court twice already; I go see them on July 12 again.

Moermond: so a hearing July 12 on the eviction?

Lou: yes. I came today just to ask for more time until they move out so I can fix it up and put it up for sale. I only work on weekends; I take care of my property.

Moermond: I did hear an appeal on that snow and gave you an opportunity to get that reduced. We aren't talking about that today, but you did catch a break on that.

Lou: you will do an extension but not today?

Moermond: they gave you five weeks to July 14. You told me you had pest control to work on the mice. Did you hire a professional?

Lou: I didn't hire a professional, I bought supplies. February 18. I want to do it. I'm not trying to avoid it.

Moermond: February 18 you did what?

Lou: the tenants asked someone to take care of pest control on February 18.

Moermond: what did you do about it?

Lou: I waited for the tenant to move out.

Moermond: that isn't really satisfactory. This has been an issue since February which is problematic. I'm going to recommend you get through August 1 to address these items, and then Fire can move on with enforcement. Can you speak to that Ms. Shaff?

Shaff: we'll send a follow up appointment letter. If it is done that is good. If it is not we may do an early Fire Certificate of Occupancy inspection.

Lou: so an August 1 extension to fix the stuff? Then you get rid of the tenant?

Moermond: we don't have anything to do with the tenant. We only care about the matters on the list. The issues with the tenant are a matter for district court and it sounds like you're already there.

Referred to the City Council due back on 7/20/2022