

## Vang, Mai (CI-StPaul)

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**From:** Simmonds, Victoria <VictoriaSimmonds@edinarealty.com>  
**Sent:** Friday, June 17, 2022 12:36 PM  
**To:** \*CI-StPaul\_LegislativeHearings  
**Subject:** Re: Hearing Schedule Request  
**Attachments:** Notice Received March 24th.jpeg; Neighbors Wood Pile.jpeg; Call Log.png

Thank you for this! I will be near the phone when you call.

I'm attaching three photos- The first is the initial letter we received in the mail on March 24th. As you can see there is one black and white photo provided. Pictured are a trash bag and a cardboard box next to the trash and recycling container. The next day, I had a conversation with my tenants on March 25th and told them to not leave anything outside of the bins in the future. And I drove by later that day on the 25th. When I went to the home the trash/recycling pickup had already occurred, so I assumed that the issue was resolved. But, I also called Andrew McCullough on March 25<sup>th</sup> just to make sure that everything was handled properly, and I did not receive a call back. I called him a second time on at 2:50PM on March 28<sup>th</sup> to and left a two-minute long voicemail (see the attached phone record). I also never received a call back. Andrew actually never called me back until after we had received the ratification letter and I left a third message on his voicemail and made multiple calls to other people at the city to figure out why we received this complaint in the first place, he and I first spoke on the morning of June 3<sup>rd</sup> and still after that call it was not clear to me what the issue was that we were had even been fined for. He said he would send photos, they never arrived until Wednesday June 15th.

Clearly based on my recent emails with Andrew, his issue was that there was some wood against our garage from a fence build in November 2021. He referenced "building materials" during our call at 8:50AM on June 2<sup>nd</sup> and again in an email to me on June 15th. However this is confusing because, "building materials," are not mentioned anywhere in the legislative code that's being used to justify this action. Chapter 45 does not reference "building materials" even once in the legislative code. The term "building materials" is used in the original letter that we received on March 24<sup>th</sup> but when I arrived on March 25<sup>th</sup> and looked at the condition of our property next to the neighbors properties and reading through Chapter 45 of the legislative code (which is referenced) and saw nothing on our property that would lead me to believe there was any nuisance listed on the code within on property.

As you can see from the photos, we installed a new fence at the back of the home in November of 2021 and the fence company left the pile of wood because part of their bid was to build a new gate for another section and access at the side of the yard. I called the company on June 15th and sent along the photo that Andrew sent me (on June 15th) of the "nuisance" wood pile, that contractor stated that yes, they left it behind the wood because they were coming back after the snow to finish and build the gate which obviously still needs to be completed.

So, between March between the 24<sup>th</sup> and 29th, it was my assumption based on the black and white photo that the "Nuisance" was trash/recycling being left beside the bin prior to pickup day. And based on that black and white photo I was not able to see anything else that looked like it would be bothering anyone. So I handled what I thought needed handling and I reached out to Andrew to

confirm I was doing the right thing. Obviously, I would prefer to have gotten this resolved. Of course, I would have had no problem going to the property and moving the wood, which was left by the fence company if I had known that it was an issue for someone. That would have taken me a matter of minutes to do, no problem! But it was not clear that was the issue and all of the neighbors have something similar going on if not much more unsightly. I make a point to drive through that alley at least ever few days over the recent months. There are several direct neighbors on that block with debris and stacks of things laying near the Alley. Infact, our direct next door neighbors have a stack of wood laying against their garage in the same fashion ours was since we purchased this house in July of 2021. The second attached photo was taken this Tuesday, and I can prove that their pile of wood has been there for at least a year because there are photos from when we purchased this home last summer that show that pile sitting there in June of 2021. It's unclear to me why those neighbors wood pile (18 feet from ours) was not cited and abated. We purchased this property with the intent of making improvements (over \$12,000 thus far) but receiving what feels and looks like arbitrary punishments don't exactly make St Paul feel like a friendly place to be investing money.

If Andrew had called back after the voicemail I left then we could have had the "issue" quickly resolved but instead my call wasn't returned and I wasn't made aware of what I was supposed to do and then charged for it.

I also received a call from a "Lisa" today at the city, no last name given. And Lisa said that the city was having issues with their phones back in March which is likely why Andrew didn't call me back. If the city knew in March that they were having issues with the "phone systems" and that phone number is the only avenue of contact provided on the initial warning letter to homeowners (there is no email address provided), then how is someone supposed to clarify what it is that the city wants to be done. If "building materials" are not part of the Legislative code that is referenced in the letter then I would say its safe to assume that the city is giving those in Andrew's position the right to make judgement calls based on their subjective opinion but then it seems very important that there be clear communication lines so that homeowners can reach that person before they're assessed money for a violation that isn't being uniformly enforced and can't be referenced back to the legislative code that is used in the first place.

Lisa also said "it looks like that stuff had been out there for some time." I'm sorry where is she getting that information and what is "some time" and what is she looking at that "it looks like." I'd be happy to contact the fence company and have them send you an invoice that shows the work was completed in November 2021, so it was there for a total of 4 months and the pile itself is again, much smaller than the neighbors have against their garage 18 feet away which has been there for over 15 months. We can do better Saint Paul.

My last point is regarding the timing:

The ratification notice refers to cleanup during the time period of March 16th-March 29<sup>th</sup> sure, that satisfies the 14 day requirement; but the original nuisance letter wasn't even written and dated until March 21<sup>st</sup> so I have no idea where the date of March 16<sup>th</sup> comes into play. But that letter was mailed and delivered in the mail to me on March 24th- thereby we were given TWO business days to determine what was expected of us and remedy it, Friday March 25<sup>th</sup> and Monday March 28<sup>th</sup> .....with March 29<sup>th</sup> being the last possible date to comply as according to this letter. But again, there was no way to clarify what we were complying with or to remedy it because we didn't get a call back. So I drove by several times prior to March 30th but there was no trash or boxes being left by the trash and recycling bins and Andrew didn't call me back so I figured all was well.

There is a lot of room for improvement in this department . Obviously, there is a need for this kind of enforcement but if it is not enforced with clear communication and common sense and most important uniformly.... then it just makes the city look really bad. I grew up in Saint Paul and so obviously have a love for this city and I hope someone is willing to look at the procedures and standards for how these cases are handled and fix all of the above. Lisa said in her voicemail today that the phone systems "sometimes don't work and in fact we are locked out again today." Well then wouldn't it make sense to give people an email address or a cell phone number that actually works so they can call the person who is subjectively handing out fines on their property. The whole thing feels like a comedy of errors. Do better, please.

Thanks,  
Victoria

**Victoria Simmonds - Realtor**

**Edina Realty**

**612.701.8093**

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**From:** \*CI-StPaul\_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us>

**Sent:** Thursday, June 16, 2022 9:53 AM

**To:** Simmonds, Victoria <VictoriaSimmonds@edinarealty.com>

**Subject:** RE: Hearing Schedule Request

Hello Ms. Simmonds,

You are scheduled for Legislative Hearing on June 21<sup>st</sup> via telephone between 10:30 am and noon. I will call you at the number below. The phone number we will call from is 612-315-7905.

See attached for hearing. Videos of the clean up will be sent separately.

*Mai Vang*

Pronouns: She/Her

City Council Offices – Legislative Hearings

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Legislative Hearing Appeals – [www.stpaul.gov/legislative-hearings](http://www.stpaul.gov/legislative-hearings)



**SAINT PAUL**  
**MINNESOTA**

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**From:** Simmonds, Victoria <VictoriaSimmonds@edinarealty.com>

**Sent:** Wednesday, June 15, 2022 6:49 PM

**To:** \*CI-StPaul\_LegislativeHearings <LegislativeHearings@ci.stpaul.mn.us>

**Subject:** Hearing Schedule Request

Hi there,

I'd like to be put on the schedule to contest a ratification of assessment # 228532 (File #J22227A) for property address 1659 Edmund Avenue.

Please send me any information I need to know for this hearing and how to proceed.

Thanks,  
Victoria

**Victoria Simmonds - Realtor**

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