



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
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Friday, March 13, 2015

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Summary Abatement Orders

[RLH SAO 15-16](#) Appeal of Leo Reck to a Summary Abatement Order at 1119 SIXTH STREET EAST.

Sponsors: Finney

Leo Reck, owner, appeared.

Nhia Vang:

- is here to take the information provided by staff and Mr. Reck
- is sitting in for Marcia Moermond, Legislative Hearing Officer, who will make a recommendation that will go before City Council

Inspector Paula Seeley:

- received a complaint Mar 3, 2015: shared driveway; former tenant left behind van seats near garage, sofas, dresser near shed along with garbage on the side
- Inspector Hoffman went out Mar 4 and issued a Summary Abatement Order: Remove all overflowing garbage container on blvd; wood, garbage, debris in side and rear yards; bagster full of furniture, wood cabinets in rear yard near alley
- sent Order Mar 4; compliance Mar 9
- Appellant filed an appeal
- not quite sure who shares the driveway
- it's a dead end alley
- photo - where truck is parked is the end of the alley
- history: garbage issues Apr 14 and Aug 22, 2014

Mr. Reck:

- provided background: this is a dead end alley; his property is at the end of the alley; beyond that is a barrier
- the past history of garbage was because of a problem tenant, who was evicted Oct 28, 2014; after than, he ordered a 20-yard roll-off from Vasko Roll-Off Service on Atlantic, near Phalen Blvd; it was picked up Nov 6, 2014; the roll-off was full of all the materials/trash that they left behind; Mr. Reck removed everything from the house
- since then, he did a lot of repair to the house because of the damage that was done by those tenants; it was a mess; now, it's been all repaired
- the 2 upper stories were emptied
- there's a walk-out basement entrance on 6th St; a handyman resides in that area
- Fire Inspector George Niemeyer was out a couple of times; he could testify that is was all cleaned out, repaired, repainted, etc.

- since that time, except for his handyman, there were no tenants until Feb 1, 2015
- when he got the Notice, he assumed that Mr. Miller may have left some debris in the yards and that's what the complaint was about; so, he didn't pay much attention to it, thinking that they'd get it all cleaned up soon
- last Sun, Mar 8, a neighbor who lives at 1116 Margaret St. E. (across the alley from 1119 6th St. E.), came to visit him; he said that there was all kinds of junk in the back yard: sofa, cabinets, bagster with all kinds of construction material, debris, misc. trash; it's stacked up against the shed; Mr. Reck told him that he had no idea all that was back there; he went up there and it was an awful mess and he doesn't dispute it; this neighbor said that he saw someone come there at 6 am that Sun morning and drop off some other things
- the next day, Mr. Reck called Inspector Hoffman and left a voice mail; he called back the next day; Mr. Reck explained that it was not from 1119 6th St. E. and that he didn't put it there; this is an illegal dumping; there have been a lot of illegal dumpings; you can see that people are throwing things beyond where it's barricaded all the time
- when he got there, the car seats were on the other side of the alley
- he told Mr. Hoffman that he had been alerted by the person who lives at 1116 Margaret; Mr. Hoffman told him that it would be Mr. Reck's responsibility; Mr. Reck said that he lost his temper a bit; he was very upset by all of this; Mr. Hoffman suggested that he appeal and that he would see to it that if he filed an appeal, it would be heard; so he filed; he spoke with Mai
- it's so unsightly, it needs to be removed soon
- is hopeful that the city would have it removed and pay for it on this one occasion; he understands that the city can't do this routinely
- they have had this problem before but never to this extent
- in the future, he will put up some surveillance to help deter would be dumpers from going back there

Ms. Seeley:

- on some occasions, Ms. Moermond would say, "I'm sorry that you were a victim of a crime, you were illegally dumped on but you will have to get it cleaned up;" on other occasions, she would say that "she'd talk with Public Works to see if they would clean it up;" but this is an unapproved, unassessed alley and she's afraid that the city might not want to clean it up; Greg Tandem, PW would be the person she would talk with about this situation

Ms. Moermond, LH Officer just arrived.

A RECESS was taken at 9:30 am in order for Ms. Seeley and Ms. Vang to discuss this with Ms. Moermond.

Ms. Moermond:

- apologized for being late today; was ill last night
- a case of illegal dumping on the side of the shed within the property and on the side of the shed on the unapproved ROW
- inspector also reported some in the front, which has been cleaned up
- what's behind this address is not city alley; it's an unapproved ROW, so, the city had the right to put in an alley if they want to do that but there is no assessment on it because it's not an alley
- you paid \$532.35 Nov 6, 2014 for the dumpster from the eviction; the Eviction Summons is dated Oct 28, 2014
- looks like someone just unloaded their house there
- technically, this is all your responsibility because it's on an unapproved ROW; you are the victim of dumping
- check inside the bags to see if there's a name/address; if so, you could provide the SPPD with those; call the non-emergency number and let them know that you were here at LH; give them her name and that she told you to call them about this; there

could be a Criminal Citation given them

- is happy to down the middle on this: you will be in charge of the materials on the ground while Public Works will pick up the big pieces; the city will pick-up the furniture and you do the rest

- if Appellant is not able to take care of his part in this, the Parks Division will have to take care of it and Mr. Reck will be assessed

- deadline: Tue, Mar 17, 2015

- she will call PW about this

Grant until March 17, 2015 for owner to come into compliance with half of the garbage (smaller items: overflowing container, debris, garbage in side yard and rear yard, garbage in bagster); Public Works will be responsible for taken care of the bigger items (furniture, sofas, cushions, chairs/seats, wood cabinets).

Referred to the City Council due back on 4/1/2015