



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220
Saint Paul, MN 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-1919
Web: www.stpaul.gov/dsi

July 15, 2010

NOTICE OF PUBLIC HEARINGS

Council President and
Members of the City Council

Department of Safety and Inspections, Vacant/Nuisance Buildings Enforcement Division has requested the City Council schedule public hearings to consider a resolution ordering the repair or removal of the nuisance building(s) located at:

1036 BUSH AVE

The City Council has scheduled the date of these hearings as follows:

Legislative Hearing – Tuesday, August 10, 2010

City Council Hearing – Wednesday, September 1, 2010

The owners and responsible parties of record are:

Name and Last Known Address

Interest

Bank Of England C/O David Mortensen
8425 Seasons Pkwy Ste 105
Woodbury MN 55105

Fee Owner

Evans Otieno Ogetange
7834 Yates Ave N
Minneapolis MN 55443-3025

Tax Owner

Evans Otieno Ogetange
3423 Bryant Ave N
Minneapolis, MN 55412

Tax Owner (alt address)

MERS
PO Box 2026
Flint, MI 48501

Mortgage Company

MERS
c/o Bank of England/ENG Lending
5 Statehouse Plz, Ste. 5
Little Rock, AR 72201

Lender

Dayton's Bluff District 4 Planning Council
Karin@daytonsbuff.org

District Council Contact

1036 BUSH AVE

July 15, 2010

page 2

The legal description of this property is:

Terrys Addition E 1/2 Of Lot 6 And All Of Lot 5 Blk 12

With the following Historic Preservation information: NONE

The Department of Safety and Inspections has declared this building(s) to constitute a "nuisance" as defined by Legislative Code, Chapter 45. The Department of Safety and Inspections has issued an order to the then known responsible parties to eliminate this nuisance condition by correcting the deficiencies or by razing and removing this building(s).

The property was re-inspected on **July 14, 2010**. There was no compliance and the nuisance condition remains unabated, the community continues to suffer the blighting influence of this property. It is the recommendation of the Department of Safety and Inspections that the City Council pass a resolution ordering the responsible parties to either repair, or demolish and remove this building in a timely manner, and failing that, authorize the Department of Safety and Inspections to proceed to demolition and removal, and to assess the costs incurred against the real estate as a special assessment to be collected in the same manner as taxes.

Sincerely,

Steve Magner

Steve Magner

Manager of Code Enforcement

SM:cs

cc: Rachel Tierney, City Attorneys Office
Mary Erickson, Assistant Secretary to the Council
Cindy Carlson, PED-Housing Division
Nancy Homans, Invest St. Paul
District Council – Community Organizer

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Department/Office/Council: SI - Dept. of Safety & Inspections	Date Initiated: 14 JUL 2010
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Green Sheet NO: 3115904

Contact Person & Phone: Bob Kessler 266-9013	➔ Assign Number For Routing Order	0	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: 0.8em;">Department</th> <th style="font-size: 0.8em;">Sent To Person</th> <th style="font-size: 0.8em;">Initial/Date</th> </tr> </thead> <tbody> <tr> <td style="font-size: 0.8em;">Dept. of Safety & Inspections</td> <td style="font-size: 0.8em;"></td> <td style="font-size: 0.8em;"></td> </tr> <tr> <td style="font-size: 0.8em;">Dept. of Safety & Inspections</td> <td style="font-size: 0.8em;">Department Director</td> <td style="font-size: 0.8em;"></td> </tr> <tr> <td style="font-size: 0.8em;">City Attorney</td> <td style="font-size: 0.8em;">City Attorney</td> <td style="font-size: 0.8em;"></td> </tr> <tr> <td style="font-size: 0.8em;">Mayor's Office</td> <td style="font-size: 0.8em;">Mayor/Assistant</td> <td style="font-size: 0.8em;"></td> </tr> <tr> <td style="font-size: 0.8em;">Council</td> <td style="font-size: 0.8em;">City Council</td> <td style="font-size: 0.8em;"></td> </tr> <tr> <td style="font-size: 0.8em;">City Clerk</td> <td style="font-size: 0.8em;">City Clerk</td> <td style="font-size: 0.8em;"></td> </tr> </tbody> </table>	Department	Sent To Person	Initial/Date	Dept. of Safety & Inspections			Dept. of Safety & Inspections	Department Director		City Attorney	City Attorney		Mayor's Office	Mayor/Assistant		Council	City Council		City Clerk	City Clerk	
Department		Sent To Person	Initial/Date																					
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Council	City Council																							
City Clerk	City Clerk																							
Must Be on Council Agenda by (Date): 01-SEP-10	1																							
Doc. Type: RESOLUTION	2																							
E-Document Required: Y Document Contact: Contact Phone:	3 4 5																							

Total # of Signature Pages _____ (Clip All Locations for Signature)

Action Requested:
 City Council to pass this resolution which will order the owner(s) to remove or repair the referenced building(s). If the owner fails to comply with the resolution, the Department of Safety and Inspections is ordered to remove the building. The subject property is located at 1036 BUSH AVE .

Recommendations: Approve (A) or Reject (R):

_____ Planning Commission

_____ CIB Committee

_____ Civil Service Commission

Personal Service Contracts Must Answer the Following Questions:

1. Has this person/firm ever worked under a contract for this department?
 Yes No

2. Has this person/firm ever been a city employee?
 Yes No

3. Does this person/firm possess a skill not normally possessed by any current city employee?
 Yes No

Explain all yes answers on separate sheet and attach to green sheet.

Initiating Problem, Issues, Opportunity (Who, What, When, Where, Why):
 This building(s) is a nuisance building(s) as defined in Chapter 45 and a vacant building as defined in Chapter 43 of the Saint Paul Legislative Code. The owners, interested parties and responsible parties known to the Enforcement Officer were given an order to repair or remove the building at 1036 BUSH AVE by July 6, 2010, and have failed to comply with those orders.

Advantages If Approved:
 The City will eliminate a nuisance.

Disadvantages If Approved:
 The City will spend funds to wreck and remove this building(s). These costs will be assessed to the property, collected as a special assessment against the property taxes.
 A nuisance condition will remain unabated in the City. This building(s) will continue to blight the community.

Disadvantages If Not Approved:
 A nuisance condition will remain unabated in the City. This building(s) will continue to blight the community.

Total Amount of Transaction: Funding Source: Nuisance Housing Abatement Financial Information: (Explain)	Cost/Revenue Budgeted: Activity Number: 001-00257
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**RESOLUTION
CITY OF SAINT PAUL, MINNESOTA**

Presented by _____

1 WHEREAS, Department of Safety and Inspections has requested the City Council to
2 hold public hearings to consider the advisability and necessity of ordering the repair or wrecking
3 and removal of a two story, wood frame single family dwelling and its wood frame shed located
4 on property hereinafter referred to as the "Subject Property" and commonly known as **1036**
5 **BUSH AVE** . This property is legally described as follows, to wit:

6
7 Terrys Addition E 1/2 Of Lot 6 And All Of Lot 5 Blk 12
8

9 WHEREAS, based upon the records in the Ramsey County Recorder's Office and
10 information obtained by Department of Safety and Inspections on or before **March 8, 2010**, the
11 following are the now known interested or responsible parties for the Subject Property: Bank Of
12 England C/O David Mortensen, 8425 Seasons Pkwy Ste 105, Woodbury MN 55105; Evans
13 Otieno Ogetange, 7834 Yates Ave N, Minneapolis MN 55443-3025; Evans Otieno Ogetange,
14 3423 Bryant Ave N, Minneapolis, MN 55412; MERS, PO Box 2026, Flint, MI 48501; MERS
15 c/o Bank of England/ENG Lending, 5 Statehouse Plz, Ste. 5, Little Rock, AR 72201; Dayton's
16 Bluff District 4 Planning Council; and
17

18 WHEREAS, Department of Safety and Inspections has notified the known interested or
19 responsible parties of the "Order to Abate Nuisance Building(s)" dated **June 2, 2010** as provided
20 for in Chapter 45 of the Saint Paul Legislative Code; and
21

22 WHEREAS, this order informed the then known interested or responsible parties that the
23 structure located on the Subject Property is a nuisance building(s) pursuant to Chapter 45; and
24

25 WHEREAS, this order informed the interested or responsible parties that they must repair
26 or demolish the structure located on the Subject Property by **July 6, 2010**; and
27

28 WHEREAS, the enforcement officer has posted a placard on the Subject Property
29 declaring this building(s) to constitute a nuisance condition; subject to demolition; and
30

31 WHEREAS, this nuisance condition has not been corrected and Department of Safety
32 and Inspections requested that the City Clerk schedule public hearings before the Legislative
33 Hearing Officer of the City Council and the Saint Paul City Council; and
34

35 WHEREAS, the interested and responsible parties have been served notice in accordance
36 with the provisions of Chapter 45 of the Saint Paul Legislative Code, of the time, date, place and
37 purpose of the public hearings; and
38

39 WHEREAS, a hearing was held before the Legislative Hearing Officer of the Saint Paul
40 City Council on **Tuesday, August 10, 2010** to hear testimony and evidence, and after receiving
41 testimony and evidence, made the recommendation to approve the request to order the interested

42 or responsible parties to make the Subject Property safe and not detrimental to the public peace,
43 health, safety and welfare and remove its blighting influence on the community by rehabilitating
44 this structure in accordance with all applicable codes and ordinances, or in the alternative by
45 demolishing and removing the structure in accordance with all applicable codes and ordinances.
46 The rehabilitation or demolition of the structure to be completed within **fifteen (15)** days after
47 the date of the Council Hearing; and
48

49 WHEREAS, a hearing was held before the Saint Paul City Council on **Wednesday,**
50 **September 1, 2010** and the testimony and evidence including the action taken by the Legislative
51 Hearing Officer was considered by the Council; now therefore
52

53 BE IT RESOLVED, that based upon the testimony and evidence presented at the above
54 referenced public hearings, the Saint Paul City Council hereby adopts the following Findings and
55 Order concerning the Subject Property at **1036 BUSH AVE.**
56

- 57 1. That the Subject Property comprises a nuisance condition as defined in Saint Paul
58 Legislative Code, Chapter 45.
- 59 2. That the costs of demolition and removal of this building(s) is estimated to exceed
60 five thousand dollars (\$5,000.00).
61
- 62 3. That there now exists and has existed multiple Housing or Building code
63 violations at the Subject Property.
64
- 65 4. That an Order to Abate Nuisance Building(s) was sent to the then known
66 responsible parties to correct the deficiencies or to demolish and remove the
67 building(s).
68
- 69 5. That the deficiencies causing this nuisance condition have not been corrected.
70
- 71 6. That Department of Safety and Inspections has posted a placard on the Subject
72 Property which declares it to be a nuisance condition subject to demolition.
73
- 74 7. That this building has been routinely monitored by Department of Safety and
75 Inspections, Vacant/Nuisance Buildings.
76
- 77 8. That the known interested parties and owners are as previously stated in this
78 resolution and that the notification requirements of Chapter 45 have been fulfilled.
79

80
81 ORDER

82
83 The Saint Paul City Council hereby makes the following order:
84

- 85 1. The above referenced interested or responsible parties shall make the Subject Property
 86 safe and not detrimental to the public peace, health, safety and welfare and remove its
 87 blighting influence on the community by rehabilitating this structure and correcting all
 88 deficiencies as prescribed in the above referenced Order to Abate Nuisance Building(s) in
 89 accordance with all applicable codes and ordinances, or in the alternative by demolishing
 90 and removing the structure in accordance with all applicable codes and ordinances. The
 91 rehabilitation or demolition and removal of the structure must be completed within
 92 **fifteen (15) days** after the date of the Council Hearing.
- 93
- 94 2. If the above corrective action is not completed within this period of time Department of
 95 Safety and Inspections is hereby authorized to take whatever steps are necessary to
 96 demolish and remove this structure, fill the site and charge the costs incurred against the
 97 Subject Property pursuant to the provisions of Chapter 45 of the Saint Paul Legislative
 98 Code.
- 99
- 100 3. In the event the building is to be demolished and removed by the City of Saint Paul, all
 101 personal property or fixtures of any kind which interfere with the demolition and removal
 102 shall be removed from the property by the responsible parties by the end of this time
 103 period. If all personal property is not removed, it shall be considered to be abandoned
 104 and the City of Saint Paul shall remove and dispose of such property as provided by law.
- 105
- 106 4. It is further ordered, that a copy of this resolution be mailed to the owners and interested
 107 parties in accordance with Chapter 45 of the Saint Paul Legislative Code.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Requested by Department of:
 Safety and Inspections

By: Bob Kessler

Form Approved by City Attorney

By: _____

Form Approved by Mayor for Submission to Council

By: _____

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____