



APPLICATION FOR APPEAL

Saint Paul City Council – Legislative Hearings

RECEIVED

310 City Hall, 15 W. Kellogg Blvd.

Saint Paul, Minnesota 55102

JUL 13 2018

Telephone: (651) 266-8585

CITY CLERK

We need the following to process your appeal:

- \$25 filing fee (non-refundable) (payable to the City of Saint Paul) (if cash: receipt number 820528)
 - Copy of the City-issued orders/letter being appealed
 - Attachments you may wish to include
 - This appeal form completed
 - Walk-In OR Mail-In
- for abatement orders only: Email OR Fax

HEARING DATE & TIME (provided by Legislative Hearing Office) Tuesday, <u>July 31, 2018</u>
Time <u>11:00 a.m.</u>
Location of Hearing: Room 330 City Hall/Courthouse

Address Being Appealed:

Number & Street: 1223 Marion Street City: Saint Paul State: MN Zip: 55117

Appellant/Applicant: Richard Heller Email: mnrick@mninter.net

Phone Numbers: Business _____ Residence 651-488-2735 Cell _____

Signature: _____ Date: July 13, 2018

Name of Owner (if other than Appellant): _____

Mailing Address if Not Appellant's: _____

Phone Numbers: Business _____ Residence _____ Cell _____

What Is Being Appealed and Why?

Attachments Are Acceptable

- Vacate Order/Condemnation/Revocation of Fire C of O
- Summary/Vehicle Abatement
- Fire C of O Deficiency List/Correction
- Code Enforcement Correction Notice
- Vacant Building Registration
- Other (Fence Variance, Code Compliance, etc.)

Comments:
(See attached letter.)

Regarding Vehicle Abatement Order dated July 9, 2018

My name is Richard Heller, the owner. I spoke to Richard Kedrowski today. I asked if you were aware that the property has a prior authorization for an unapproved surface. When he looked at the file, he sees nothing on it. And if I was going to appeal or question that, I would have to do it today. The office sent me 3 pdfs upon request today. Two are images. All three are not fully accessible with the required Adobe Reader software. They are not compliant to the City of Saint Paul's new disability policy from July 2017. I asked that they be made compliant and fully accessible to the City's accessibility policy and be posted on line for public access.

For understandability of the Vehicle Abatement Order, the office staff that sent me the documents should clarify words so that it has to be done by or before the date posted on the notice. Secondly, the staff will be trained to make document fully accessible when they are being sent, especially when they were asked to be in a non image pdf.

The question is referred to the City Council due back on 10-18-17, I spoke to Richard and said I had a data request and the City has not fulfilled it. If I would have gotten the data request, you would have known it was in the record. I went down to Building Inspection and they said it is digital and goes back further to put this as an unimproved surface (Item A). The reason I have to refer back to Item C is because the City has not fulfilled the data request. I asked for all public data and subject data and that was never answered (Item D).

I am requesting the accommodation of Communication Access Realtime Translation (CART) for the hearing (Item B). I am asking for a delay to the hearing until the data request has been met.

Also, there were two mailings.

*please send to: MWRick@WINTER.NET
in PDF (non-image)
CAN NOT WAIVE Fee of \$25.00
Office too*

R Heller

Thank You!

Dictated by Richard Heller to Racquel Naylor on July 13, 2018



CITY OF SAINT PAUL
 DEPARTMENT OF SAFETY AND INSPECTIONS
 DIVISION OF CODE ENFORCEMENT
 375 Jackson Street, Suite 220
 Saint Paul, MN 55101-1806

July 09, 2018

18 - 080318

VEHICLE ABATEMENT ORDER

Richard S Heller
 1223 Marion St
 St Paul MN 55117-4467

Occupant
 1223 MARION
 St Paul MN 55117-4467

- Yog hais tias koj hais tsis to taub tsab ntawv no, hu rau tus txhais lus ntawm (651) 266-8989. Nws yog pab dawb zwb.
- Si necessita un traductor, por favor llamanos al (651)266-8989. No costo.

As owner or person(s) responsible for 1223 MARION ST

**YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING VEHICLES ARE IN VIOLATION
 OF THE SAINT PAUL LEGISLATIVE CODE, CHAPTERS 34, 45, OR 163**

Vehicle	#1	#2	#3
Make	POP-UP CAMPER		
Color	WHITE		
License	UNKNOWN		
Violation	E		
Vehicle	#4	#5	#6
Make			
Color			
License			
Violation			

VIOLATION CODE: **A** - Lacks current license/tabs **D** - Appears undriveable/inoperative
 B - Open to entry/unsecured **E** - Unimproved surface
 C - Missing vital parts/dismantled **F** - Other violation _____

FAILURE TO COMPLY MAY RESULTS IN TAGGING AND/OR TOWING.

CHARGES: If the City impounds and disposes of the vehicle(s), the charges assessed to the above property will be approximately \$1,000.00 for each vehicle. This charge does not include impound fees and other related costs for release of vehicle(s).

Vehicles found to be in violation on or after **July 16, 2018** will be removed, impounded and disposed of in accordance with law. The cost of this abatement will be charged against the property as a special assessment to be collected in the same way as property taxes. Noncompliance with this order and repeat violations will result in the issuance of criminal citation.
Issued by: Richard Kedrowski Badge Number: 320 Phone Number: 651-266-9141

Appeals: You may appeal this order and obtain a hearing before the City Council by completing an appeal application with the City Clerk before the appeal deadline noted above or seven (7) days after the date mailed, whichever comes first. No appeals may be filed after that date. You may obtain an appeal application from the City Clerk's Office, Room 310, City Hall, St. Paul, MN 55102. The telephone number is (651) 266-8585. You must submit a copy of this Vehicle Violation Notice with your appeal application.

***WARNING:** Code inspection and enforcement trips cost the taxpayers money. If multiple trips to your property within a year are required to insure compliance with the law, you may be charged for the cost of inspections and enforcement trips to your property. Such charges are in addition to any other fines or assessments which may be levied against you and your property.

RECEIVED

JUL 13 2018

7/13/2018

By: City of St Paul DSI

DATA Request of 1223 MARION ST. St Paul
to Review
all DATA subject epublic Data

Rick Heller

MN Rick@MNI.NTFR

V: 651.488.2735


IF SEND IN PDF (NON-IMAGE)
ANY WRITTEN RESPONSE.
CC RH

"A"

Communication Access Realtime Translation (CART)

For CART services,

WITH LAPTOP TO FOLLOW ALONG.

Save File  IN PDF (NON-IMAGE)
and SEND TO MWRIEK@MWINTER.NET

"B"

ce
RA

- Details

File #: RLH SAO 17-79 Version: 1

Type: Resolution LH Summary Abatement Order

Title: Appeal of Richard S. Heller to a Summary Abatement Order at 1223 MARION STREET.

Mover: Secondder:

Result:

Agenda note:

Minutes note: Richard S. Heller, owner, appeared. Supervisor Lisa Martin: -Summary Abatement Order issued Sep 15, 2017 to remove/abate the many items in the yard; compliance Sep 22 -he has had many sales at his property; you are allowed to have 3 garage sales per year in the City of St. Paul -he has his front door open selling things out of the home -he also has a lot of storage in the back yard -photos showing what still is left which is much better than it was -there's still buckets, wood, debris and he cannot have any more sales at the property -his property is very visible - right off Maryland & Marion Ms. Moermond: -is there any history? Mr. Heller: -I officially represent Twice Exception - State of MN statute 120B -I am twice disabled -when I came in the bldg, security checked me & the machine went off; they asked me to pull up my socks -I have a data request because I haven't seen the whole file: personal & public -your application for appeal is not very accessible for people with blindness disabilities; it's not ADA complaint Ms. Moermond: -we don't have the ability to fill out the forms online; you can only print them out online; we don't have the technical capacity to fill it out online Mr. Heller: -it's not functional & acceptable for blindness specific people Ms. Moermond: -I'm looking at your appeal; does it say what you want it to say? Mr. Heller: -you have pictures; I don't have pictures Ms. Moermond: -you can have copies of my pictures that were taken yesterday at your property -I also would assume that you know what your own property looks like Mr. Heller: -I took a picture this morning; Racquel described it for me -what was done this morning, I worked out with Inspector Richard ____ Ms. Moermond: -for the record, your appeal says the following: I spoke to the inspector Richard Kedrowski. We have a gentleman's agreement (extension). He said the property is in fine shape, except I have to do four items, and I said I would take care of it, and he is going to come out on Monday. The four items are metal door frame, plastic containers, the signs, and the tomatoes off the steps. Because of the lack of prior data regarding the initial nuisance, I am in the process of data requests under the name Heller for private and public data. Due to the situation, I am asking for a delayed administration hearing before the data comes in so we can understand the findings to the current ordinance violation as it relates to the initial file number (see attached). (The above was typed by Racquel Naylor as told by Richard Heller.) your initials; dated 9/21/2017 -that is what the appeal is -I need to take this to the conditions at your property & have you tell me how this relates to the items that we're talking about: storage of materials - cleaners, tarps, saw horses, roofing, flashing, signs on front steps, etc. -how does your ADA situation or your data requests pertain to those items? Mr. Heller: -you don't have the same information as I have -entered photos he brought Ms. Moermond: -I have what you submitted & nothing else but the photos that I received -the pictures are also online -let's talk about the current situation of what we have Orders on: the clean-up in the yard; I'm looking at a Summary Abatement Order from Sep 15, 2017 Mr. Heller: -those photos are no longer accurate; all that has been taken care of -asked for a transcription -I haven't seen any data on the garage sales Ms. Moermond: -we don't transcribe; we can provide an audio; everything I do is put on the record -it looks like there are 2 things remaining in the yard: saw horses & wood framing -I don't care about the 3 garage sales Mr. Heller: -all is gone & won't be out there Ms. Moermond: -this case goes to City Council Public Hearing on Oct 18, 2017 -I will recommend denial; you are already compliant -will send out an inspector on Oct 10 to see that conditions have been addressed Deny the appeal; however, inspector will confirm on October 10 to see if the nuisance has been abated.

Action: Referred

Action text: Referred to the City Council due back on 10/18/2017

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CC RA 7/13/2018

September 21st, 2017 (hand carry to address below, sent this page electronically in attached PDF, via email only)

Shari Moore, City Clerk ;
15 W. Kellogg Blvd., Room 310 ;
St Paul, MN 55102 ;
Electronic address: shair.more@ci.stpaul.mn ;

Re: CiStPaulDataRequestHellerPrivateAnd1223MarionPublic9-21-2017(attachedPDF;Sent9-21-2017;RRR/HP)

Dear **Shari Moore** or responsible Authority:

I am writing to you as the responsible authority of City of Saint Paul. This is a formal request for access to government data under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13. If there is a designee to whom I should direct my data request, please inform me.

I seek access to the following: Any and all private and Public, data that document the City of Saint Paul has on the address and named expressed below* [This includes, but is not limited to, any and all data contained in letters, emails, text messages, notes, reports, meeting minutes, tree trimming on 1200 block of Marion Street ect.] Last. Have attached some online service portal permit/Files. Seek online Details data. Access link(s) below**

I am asking to inspect the data under Minnesota Statutes, section 13.03, subdivision 3. Please make electronic stored and paper data accessible with screen reader(s). Current use Adobe Reader Software. This is a ADA request. Last. If someone determines that someone will redact or withhold any otherwise responsive data, please inform me in writing of the specific statutory basis for your denial.

Since ,electronic messages can get lost/ misplaced, or attachment can place E-mails into spam mail, have used computer software to Place High Priority(HP) and Read Request Receipt(RRR). Also have copyied City Appeal Staff and self. For functional reasons, have created this document into secured and fully accessible and functional Portable Document Format (PDF). Requesting all written response be in PDF. I Currently use Adobe Reader software(text to Speech Adobe reader software) to access WMC online content reports+documents*. If no response in writing in the next Thirty (30) working days, please notify electronically, in PDF [sent to my Email provided below; If consent is required to do, please send form] as to when your staff is expected to complete request. If have any question(s), feel free to contact me. Information below.

If you have any questions or need clarification, please contact me. I can be reached at information below

Richard Heller, 35+ year owner in Saint Paul ;
*1223 Marion Street ;
Saint Paul, Mn 55117; Voice Mail;651-488-2715 ;
Electronic or E-mail Address: mnriCk@mninter.net ;

Carbon Copy (Cc):

Self; Richard Heller ; Electronic or E-mail Address: mnriCk@mninter.net ;
Other(s);Appeal Staff ;

**[https://online.stpaul.gov/web/portal/public-search?
p_auth=kzxrP0qo&p_p_id=SmartPortletJSR286_WAR_smartlets_INSTANCE_skjvrEC9upVQ&p_p_lifecycle=1&
p_p_state=normal&p_p_mode=view&p_p_col_id=column-1&p_p_col_count=1](https://online.stpaul.gov/web/portal/public-search?p_auth=kzxrP0qo&p_p_id=SmartPortletJSR286_WAR_smartlets_INSTANCE_skjvrEC9upVQ&p_p_lifecycle=1&p_p_state=normal&p_p_mode=view&p_p_col_id=column-1&p_p_col_count=1)

Extra note. Currently, both of your online forms(applications for Appeal and Guild for data request, and related documents, are not fully accessible with Adobe Reader Software. Please correct and let me know when posted back on line.

Created And Named: CiStPaulDataRequestHellerPrivateAnd1223MarionPublic9-21-2017.pdf

PDF Page 1 of 1

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CERR
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