

September 16, 2015—City Council Public Hearing

RE: Abatement Assessment of 2013 Lincoln Avenue

Statement of Blake Traylor submitted and to be read at hearing

I understand the action before you today is to approve abatement assessments and to add them to taxes. I am here to refute the charges assessed to my property for the removal of my garage and I will lay out the reasons below. I want you to know how my case was handled and to ask that you take a moment to consider the impact this has had on me, a tax paying citizen of St. Paul, and on my children.

You will see in your packets that I previously submitted three documents into public record at the Legislative Hearing on August 4th. The three documents include two statements from experienced contractors who work(ed) with reputable Twin Cities construction and remodeling companies, regarding the soundness of my garage. The third is my own statement outlining the course of events since this all began in May 2014 when, from what can be construed from Department of Safety and Inspections records, a complaint was made about my property. My statement includes my efforts to work with the City regarding complaints made about my home, my health history during this time, the resulting loss of employment, and end of life care for my father in another state.

I have also rather reluctantly electronically submitted a contact sheet of photos to be included in your packets, along with three other documents. These photos begin with one that I took of my garage on the day of demolition an hour into the process, May 6th (not May 8 as reflected in your records) and eleven more photos taken this week of garages in my neighborhood, all within easy walking distance of my residence. I submit these not in the spirit of reporting and demanding that the City take action against my lovely neighbors (as you will notice-all addresses have been removed and the photos have been submitted in black and white.) I submit these to provide a comparison between my situation and the real time context into which my garage fits, as compared with other garages in close proximity. For the record, I had never, in my 27 years of living in my home and in my neighborhood, ever concerned myself with the condition of the garages of my neighbors and I still don't. Please note the irony that, because I wish to share these images with you to provide context, this action necessarily requires that they be submitted into public record, one which identifies me as the supplier of such information, while the identity of the individual who complained about my garage back in the Spring of 2014, is fully protected by law. The individual who ostensibly assisted the City in "doing its job" by instigating action against me.

In the City records you will see that I immediately addressed all of the initial complaints one by one and in a timely fashion that satisfied the City in the Spring of 2014 (except for the one related to my garage) against the threat that failing to do so "may result in the issuance of criminal charges." What you don't see is that I addressed these issues with the help of friends and family while living with 24/7 chronic debilitating pain, muscle

weakness and exhaustion as a result of a head and spine injury which required bed rest, and while my father entered hospice.

My concerns about the handling of this case became heightened late this past winter and early spring when I invited six different Contractors to look at my garage and give me estimates both for repair and demolition. Under my circumstances at the time, I had no idea how I would afford either, but I knew that the City intended that I comply with their orders. I was operating under the belief that my garage was not sound and was an endangerment to the neighbors, as I assumed was the determination of the City as evidenced by the issuance of a Summary Abatement Order. I was operating without the technical expertise to realize that while my garage needed some repairs, it was in fact safe, sound and secure. What I neglected to notice was the overall shape of garages in my neighborhood. In fact, as was pointed out by more than one contractor, there were many comparable and even worse garages right on my very alley and on surrounding alleys. Ones with sagging roofs and leaning walls, and others similar to mine with holes made by animals, loose sections of fascia, corroding paint jobs, weathered roof tops, etc.

I began to question what made my garage, that was deemed structurally sound with peripheral damage by more than one Contractor, so special that the City felt it necessary to force me to rectify the situation with full knowledge of my life circumstances and while never having had a City Inspector do more than a drive by inspection from the alley.

You will note from my statement that I spoke with a City Official on April 14 by phone asking that my situation be reassessed based upon the overwhelming feedback I was receiving about the true state of my garage. I was told that a Building Inspector would be sent out and I stressed the importance that the Building Inspector contact me first so that I could unlock my garage to let him in to inspect the structure both inside and outside.

I have a number of observations related to the process whereby it was determined that I had to either repair or demolish my garage and in the absence of my ability to do either that the City would force the resolution on me by removing a perfectly sound garage and all of its contents, to include my children's early life memorabilia stored in plastic sealed containers. And, by doing such that the City could then further diminish my financial situation by charging me for the removal while simultaneously reducing the value of my property. I urge you to consider my situation against the broader backdrop of the power of a City Agency to act unchecked in such a manner, to take a deeper look at how something like this can and does happen to tax-paying citizens.

Here are my assertions:

- 1) After reading through Chapter 45 of the St. Paul Legislative Code several times, I am unable to identify the specific reason that my garage fit the criteria of “nuisance.” I cannot find anything in the code to support the demolition of my garage.
- 2) The City of St. Paul Department of Safety and Inspections is a complaint-driven system that relies on its tax-paying citizens to help the City do its job. Once the City has received a complaint, it has the responsibility to properly assess the situation to determine if the complaint has true merit. A proper inside out inspection of my garage never, to my knowledge, occurred. The City should not have removed my garage without a proper inspection and further, had no reason to focus so much attention on me as a result of this complaint, especially given my immediate compliance in fixing issues related to the initial complaints. I agreed with the City that these issues needed to be addressed.
- 3) On April 14th I made a request by phone to the Department of Safety and Inspections that the soundness of the garage be reassessed, based upon overwhelming feedback from area contractors that the garage was sound with only peripheral damage, raising the question “what makes this situation stand out against all others?” A specific request was made that a higher level Building Inspector arrange a meeting with me at my garage so that I could let him inside the locked secured garage to do a proper assessment from the inside out. This never happened. In addition, I was informed on August 4th that there was no record of a visit to my property by a Building Inspector.
- 4) At the August 4 Legislative Hearing there was no video footage of my property while every other property under discussion that day had accompanying video footage. Given the seriousness of my case (the forced removal of a piece of my property), I find this level of documentation unacceptable. The City failed to properly document the issue with my garage beyond a few photographs of peripheral damage to my garage taken over the course of many months. In many cases, the same angle taken by a hand held camera from the alley. The other cases presented that day involved lesser issues like trash and brush removal.
- 5) As I was informed at the August 4 Legislative Hearing, the decision for choosing the contractor to demolish my garage or any garage goes to the lowest bidder. The winning bid to demolish my garage, as evidenced on the City of St. Paul DSI records online, was for \$1500 and was awarded to the City of St. Paul Parks and Rec. However, the assessment before you is in excess of \$3300. One would assume that the onus of responsibility to issue an accurate bid based upon an actual inspection of the job at hand (namely the demolition of my garage) would fall on the professional expertise of the Contractor issuing the bid. I find it difficult to believe that this happened, based upon the wide gulf between the initial and final bid. And, if it did, I believe the responsibility for failure to supply an accurate bid should fall on the Contractor awarded the job. Especially given the criteria for awarding the bid.
- 6) In addition, the status of the aforementioned permit on the aforementioned website, was-as of September 14-still “active/issued”. This confusing fact was explained to me last week in a phone conversation with the Department of Safety & Inspections in this way: “According to DSI, you still have a garage.” Upon hearing that, I didn’t know

whether to laugh or cry about this revelation as I looked out over the cement slab which used to be my garage and into the alley side windows of the apartment complex behind me. This certainly raises my level of concern about the efficacy of decision making and the course of events which led to the process of deciding to move forward with the removal of my garage.

- 7) I assert that the City did not have a reasonable leg to stand on when it decided to expend so much focus on dogging me about a sound garage which simply needed repairs. During this time (from May 2014 through August 2015) I had what I considered a good working relationship with Inspector Ed Smith and Legislative Hearing Officer Marcia Moermond. I believe they were following City procedures. What remains unclear to me is the underlying process used in making a decision to destroy a piece of my property simply because it needed some repairs. I am perplexed that the City found it necessary to apply continuous and unrelenting pressure on me, albeit with deadline extensions, for what I've come to believe was an erroneous evaluation of the condition at hand and in a period of my life when I was under terrific personal duress, the facts of which I had made clear to them.
- 8) Last, I question whether I received due process as required by law when the removal of property is at stake.

Therefore, I ask that you remove the charge for demolishing my garage. I request that the value of my property be immediately reassessed and reduced, back to the date of demolition May 6, 2015, by the City Tax Assessor's Office to accurately reflect its reduced value. What I am requesting is a more than fair and reasonable way to resolve this issue between me and the City. Under no circumstance, should I be further harmed by this erroneous action on the part of the City.

I invite any of you here who would like to walk a few alleys with me to do just that. This would likely reveal the context into which the concerns about the removal of my garage fits. And, I would like it noted that I hand delivered a written records request to DSI on September 8, 2015 around 4pm, which was broader in scope than the records I was provided that day and haven't as of yet received the specific records requested.

Thank you for your time and attention.

Camille "Blake" Traylor

St. Paul Resident and Homeowner of 27 years