



**CITY OF SAINT PAUL**  
**OFFICE OF THE CITY COUNCIL**  
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August 5, 2013

Terry Duggins  
Duggins Law Firm  
1711 West County Rd B, Ste. 112-S  
Roseville MN 55113

VIA EMAIL: [terry@dugginslawfirm.com](mailto:terry@dugginslawfirm.com)

Re: Demolition assessment for property at 315 Larch Street

Mr. Duggins:

I am in receipt of your August 1, 2013 letter regarding supporting materials for the substantial nuisance abatement assessment related to 315 Larch Street in Saint Paul. In this letter you reiterate your request for documentation relative to this nuisance abatement. I must emphasize all documents pertaining to the abatement from my office and the Department of Safety and Inspections have been provided for your consideration, as is required under the Minnesota Data Practices Act. Additionally, I requested that Ramsey County's hazard materials staff provide me with their documentation. All documents have been attached to the public record, and have been for more than a month. The additional documents and information you are requesting are not in the possession of the City and I assume would need to be accessed directly from the firms you are referencing.

The matter under consideration by the Council on August 7, 2013 is the special assessment for the cost of abating the nuisance structures and conditions at 315 Larch Street in Saint Paul, as ordered in Council File RLH RR 11-98 on March 7, 2012, which order was signed by the Mayor on March 13, 2012. The order itself required that the owner rehabilitate or raze and remove of the structures and abatement of the nuisance condition within 15 days. The Chapter 14 of the City Charter provides that the City may assess for the cost of nuisance abatement. I am recommending to the City Council that they approve the assessment before them for the following reasons:


- Mr. Norris was given ample opportunity to take action on the Order to Abate a Nuisance Building issued October 21, 2011;
- Mr. Norris received proper notice of the scheduled Legislative and City Council hearings, scheduled for January 10, 2012 (and laid over to January 24, 2012 for additional

information) and February 1, 2012 respectively, on the proposed substantial nuisance abatement order;

- On February 1, 2012, an additional layover of one month was provided by the City Council for the development of plans to address the nuisance condition at the property; however, no appeared at the subsequent Legislative Hearing on February 28, 2012 or City Council Public Hearing on March 7, 2012;
- No application for permits was made indicating an intention by Mr. Norris to abate the nuisance condition;
- No Writ of Certiorari indicating Mr. Norris's intent to bring the matter to Minnesota Appeals Court was filed; however, acting with an abundance of caution, the City did not act on Council File RLH RR 11-98 until the requisite 60 days had passed from the issuance of the order on March 7, 2012;
- The "value" associated with the removal of items removed is negligible at best; and moreover, the items were considered "abandoned" per Council File RLH RR 11-98, as they were not removed from the property within the significant time allotted;
- The costs of the assessment are the true costs the City incurred associated with the abatement of the nuisance condition at this property;
- The City's abatement procedure was in accordance with federal and state law pertaining to hazardous materials abatement; and
- All documents in the possession of the City relative to this action have been provided, per the Minnesota Data Practices Act.

The original assessment was first considered in Legislative Hearing on March 19, 2013. You requested and received a layover to a June 4, 2013 to accommodate your calendar. I heard the matter on June 18, 2013 before sending it on to the City Council on July 10, 2013. An additional layover was requested and granted referring the matter to Legislative Hearing on July 23, 2013 and returning it to City Council on August 7, 2013. Because of these many layovers, and the facts laid out above, I will not recommend the Council continue this matter again, per your request.

Sincerely,



Marcia Moermond

cc: Saint Paul City Council (email)  
Steve Magner (email)  
Joe Yannarelly (email)  
Christine Rued, [Christine@dugginslawfirm.com](mailto:Christine@dugginslawfirm.com)