



## Legislation Details (With Text)

**File #:** RLH RR 16- 24      **Version:** 3

**Type:** Resolution LH Substantial Abatement Order      **Status:** Passed

**In control:** City Council

**Final action:** 8/17/2016

**Title:** Ordering the rehabilitation or razing and removal of the structures at 956 GERANIUM AVENUE EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Amend to grant 90 days)

**Sponsors:** Dan Bostrom

**Indexes:** Substantial Abatement Orders, Ward - 6

**Code sections:**

**Attachments:** 1. 956 Geranium Ave E.OTA 5-10-16, 2. 956 Geranium Ave E.PH 6-10-16, 3. 956 Geranium Ave E.Photos #1.12-16-15, 4. 956 Geranium Ave E.Photos #2.12-16-15, 5. 956 Geranium Ave E.Photos #3.12-16-15, 6. 956 Geranium Ave E.Code Compliance Report 5-18-15, 7. 956 Geranium Ave E.Engineering Report 2-10-16.pdf, 8. 956 Geranium Ave E.Geotechnical Assessment 1-11-16, 9. 956 Geranium Ave E.SHPO Form 5-24-16, 10. 956 Geranium Ave E.Photo.5-11-16, 11. 956 Geranium Ave E.Photo.12-17-13, 12. 956 Geranium Ave E.Photos.12-10-13, 13. 956 Geranium Ave E.Kraut Ltr.7-14-16, 14. 956 Geranium.Structural memo setting appointment.8-2-16, 15. 956 Geranium Ave E.Affidavit of Brian Kraut-Workplan.8-12-16, 16. 956 Geranium Ave E.Affidavit of Costs-Workplan-Financial Ltr.8-12-16, 17. 956 Geranium Ave E.Capras Utilities Bid.7-11-16, 18. 956 Geranium Ave E.Hamernick Decorating Center-Carpet Installation Bid.8-11-16, 19. 956 Geranium Ave E.Hmong Construction Remodeling Bid.8-11-16, 20. 956 Geranium Ave E.MP Systems Inc-Bid.8-11-16, 21. 956 Geranium Ave E.Northstar MLS Matrix.8-12-16, 22. 956 Geranium Ave E.PMR Mechanical Bid.8-10-16, 23. 956 Geranium Ave E.Roy Rogers Construction Services Bid.8-10-16, 24. 956 Geranium Ave E.Sale of VB Statement of Intent.4-12-16, 25. 956 Geranium Ave E.Signing Certificate.4-6-16, 26. 956 Geranium Ave E.Solid Rock Invoice.8-11-16, 27. 956 Geranium Ave E.Solid Rock Invoice.12-9-15, 28. 956 Geranium Ave E.St Paul Sewer Assessment Program.8-12-16, 29. 956 Geranium Ave E.Us Bank Payment.7-31-16, 30. 956 Geranium Ave E.Memo-Affidavit, 31. 956 Geranium Ave E.Pier Certificate, 32. 956 Geranium Ave E.Subsurface Assmt

Date	Ver.	Action By	Action	Result
8/19/2016	3	Mayor's Office	Signed	
8/17/2016	2	City Council	Adopted As Amended	
8/3/2016	2	City Council	Continue Public Hearing	
7/12/2016	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the structures at 956 GERANIUM AVENUE EAST within fifteen (15) days after the August 3, 2016, City Council Public Hearing. (Amend to grant 90 days)

### **AMENDED 8/3/16 and 8/17/16**

WHEREAS, the Department of Safety and Inspections has determined that 956 GERANIUM AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS, this property is legally described as follows, to wit: Eastville Heights Lot 11 Blk 11; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of June 10, 2016: Minglar Inc. 1234 Payne Avenue, Saint Paul, MN 55130; Safeguard Properties, 7887 Safeguard Circle, Valley View OH 44125; Wilford, Geske & Cook PA, 7616 Currell Blvd Suite 200, Woodbury MN 55125-4393; and Payne Phalen District 5 Planning Council; and

WHEREAS, each of these parties was served a written order dated May 10, 2016 advising them of the basis for the determination that the subject property was a nuisance, and that the nuisance building was to be repaired or razed and removed by June 9, 2016; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by June 9, 2016; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on May 11, 2016 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by June 9, 2016, and therefore an abatement hearing was scheduled before the City Council on August 3, 2016 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the legislative hearing officer provided the owner and other interested parties an opportunity to discuss the matter at a legislative hearing on July 12, 2016; and

WHEREAS, a public hearing was held on August 3, 2016 and August 17, 2016, and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 956 GERANIUM AVENUE EAST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner.
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45.
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure (s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within 15 days. And, Be It Further

RESOLVED, that the Council orders that the owners, interested parties or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within ~~45~~ 90 days. And, Be it Further

RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department

of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate. And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).