Legislation Details (With Text)

File #:	RLH RR 23-10 **Version:** 7		
Type:	Resolution LH Substantial Abatement Order	**Status:**	Passed
		In control:	City Council
		Final action:	10/9/2024

Title: Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (Amend to grant 180 days)

Sponsors: Nelsie Yang

Indexes: Substantial Abatement Orders, Ward - 6

Code sections:

Attachments: 1. 1117 Jenks Ave.OTA 1-5-23, 2. 1117 Jenks Ave.PH 2-10-23, 3. 1117 Jenks Ave.Photos 12-15-22, 4. 1117 Jenks Ave.Photo 11-28-18.pdf, 5. 1117 Jenks Ave.Photos 12-24-18.pdf, 6. 1117 Jenks Ave.Code Compliance Report 3-15-23.pdf, 7. 1117 Jenks Ave.Respro Invoice 12-13-18.pdf, 8. 1117 Jenks Ave.Respro Invoice 12-13-18 Inv 59745.pdf, 9. 1117 Jenks Ave.Photos 6-17-19.pdf, 10. 1117 Jenks Ave.Google Street View 2022.pdf, 11. 1117 Jenks Ave.Alley View 2022.pdf, 12. 1117 Jenks Ave.Metro Legal Services.Email 2-20-23.pdf, 13. 1117 Jenks Ave.Metro Legal Services.pdf, 14. 1117 Jenks Ave.email chain 3-1-23.pdf, 15. 1117 Jenks Ave.Sheriff Certificate 3-2-23.pdf, 16. 1117 Jenks Ave.Police Reports Dec 2018 & Call Log.pdf, 17. 1117 Jenks Ave.Summary 3-13-23.pdf, 18. 1117 Jenks Ave.L S 3-13-23.pdf, 19. 1117 Jenks Ave.Fergus Proechel R-R ltr.3-17-23, 20. 1117 Jenks Ave.CAG National Fund nuisance mitigation plan.4-6-23, 21. 1117 Jenks Ave.Fergus Proechel R-R ltr.4-14-23, 22. 1117 Jenks Ave.Fergus Proechel R-R ltr.7-14-23, 23. 1117 Jenks Ave.30 Day Forfeit Notice 9-5-23.pdf, 24. 1117 Jenks Ave.affidavit.10-10-23, 25. 1117 Jenks.work plan estimate.submitted 10-10-23, 26. 1117 Jenks Ave.financing redacted.sub 10-11-23, 27. 1117 Jenks Ave.Fergus Proechel R-R ltr.10-27-23, 28. 1117 Jenks Ave.Fergus Proechel R-R ltr.2-16-24, 29. MNAR - Purchase Agreement (MNPA))2-22-24, 30. 1117 Jenks Ave.Fergus Proechel R-R ltr.3-15-24, 31. 1117 Jenks Ave.Spencer R-R ltr.4-26-24, 32. 1117 Jenks Ave.Spencer R-R ltr.5-31-24, 33. 1117 Jenks Ave.Zimny Spencer email chain.6-7-24, 34. 1117 Jenks Ave.Scope of work.6-7-24, 35. 1117 Jenks Ave.Spencer R-R ltr.6-14-24, 36. 1117 Jenks Ave.Spencer R-R ltr.6-28-24, 37. 1117 Jenks Ave.Spencer R-R ltr.8-16-24, 38. 1117 Jenks Ave. Promissory Note, 39. 1117 Jenks Ave. Mortgage, 40. 1117 Jenks Ave. Guaranty, 41. 1117 Jenks Ave.Affidavit Regarding Financing, 42. 1117 Jenks Ave.GMHC_12-2023-33_Grant_Contract - Rehabs, 43. 1117 Jenks Ave.Purchase Agreement, 44. 1117 Jenks Ave.email chain 9-23-24.pdf

Date	Ver.	Action By	Action	Result
10/10/2024	7	Mayor's Office	Signed	
10/9/2024	7	City Council	Adopted As Amended	
10/2/2024	7	City Council	Continue Public Hearing	
9/18/2024	7	City Council	Continue Public Hearing	
9/11/2024	7	City Council	Continue Public Hearing	
8/13/2024	6	Legislative Hearings	Referred	
6/25/2024	6	Legislative Hearings	Laid Over	
6/11/2024	6	Legislative Hearings	Laid Over	
5/28/2024	6	Legislative Hearings	Laid Over	

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5/8/2024	6	City Council	Referred	
4/23/2024	5	Legislative Hearings	Referred	
3/12/2024	5	Legislative Hearings	Laid Over	
2/28/2024	5	City Council	Referred	
2/13/2024	4	Legislative Hearings	Referred	
11/15/2023	4	City Council	Referred	
10/24/2023	3	Legislative Hearings	Referred	
7/26/2023	3	City Council	Referred	
7/11/2023	2	Legislative Hearings	Referred	
5/3/2023	2	City Council	Referred	
4/26/2023	2	City Council	Continue Public Hearing	Pass
4/19/2023	2	City Council	Continue Public Hearing	
4/11/2023	1	Legislative Hearings	Referred	
3/14/2023	1	Legislative Hearings	Laid Over	

Ordering the rehabilitation or razing and removal of the structures at 1117 JENKS AVENUE within fifteen (15) days after the April 19, 2023, City Council Public Hearing. (Amend to grant 180 days)

AMENDED 10/9/24

WHEREAS, the Department of Safety and Inspections has determined that 1117 JENKS AVENUE 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: GOVERNOR JOHNSON ADDITION LOT 29 BLK 3; 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 February 10, 2023: Jerome and Delores Kislenger, 6864 8th Street Ln N, St Paul MN 55128-6224; CAG National Fund I LLC, 11022 N 28th Drive #190, Phoenix AZ 85029; Rushmore Loan Management Services LLC, Attn: Tamara Sulea, 15480 Laguna Canyon Rd, Irvine CA 92618; Marjorie Holsten, Randall S Miller & Associates PC, 8525 Edinbrook Crossing N Suite 210, Brooklyn Park MN 55443; Scott Fergus, CAG National Fund I LLC, 11008 Cavell Circle, Bloomington MN 55438; and Payne Phalen District 5 Planning Council; and

WHEREAS, each of these parties was served a written order dated January 5, 2023 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 February 4, 2023; 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 February 4, 2023; and

WHEREAS, a placard indicating the City’s order that this nuisance building be abated was posted on the building on January 6, 2023 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by February 4, 2023, and therefore an abatement hearing was scheduled before the City Council on April 19, 2023 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 legislative hearings on March 14, 2023, April 11, 2023, July 11, 2023, October 24, 2023, February 13, 2024, March 12, April 23, May 28, 2024, June 11, June 25 and August 13, 2024; and

WHEREAS, ~~a~~ public hearings were ~~was~~ held on April 19, 2023, April 26 and May 3, 2023, July 26, 2023, November 15, 2023, February 28, 2024, May 8, 2024, and the City 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 1117 JENKS AVENUE 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 180 ~~15~~ days. And, Be It Further

RESOLVED, that the City 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 180 ~~15~~ days after the City Council Public Hearing. And, Be it Further

RESOLVED, that at the conclusion of the 180-day grant of time, the Council will receive a report from the Legislative Hearing Officer with findings on the status of the nuisance abatement; And Be It Further

RESOLVED, that a Legislative Hearing is scheduled for April 8, 2025 at which owners, interested parties and Department of Safety and Inspection staff will present information on the current building conditions and progress toward abatement of the dangerous/nuisance conditions and the resulting findings will be presented to the City Council at a public hearing on May 7, 2025 for its consideration; 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 resolution compliance date 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).

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