

August 25, 2024

1111 Argyle St.  
St. Paul, MN  
55103

Legislative Hearing Officer  
310 City Hall  
15 W. Kellogg Blvd.  
St. Paul, MN  
55102

To: Legislative Hearing Officer

Re: Native Plant Violations (Height and Encroachment Issues) – 1111 Argyle St

This letter is to discuss the City of St. Paul's Abatement Order addressed to me, dated August 8, 2024 concerning:

1. Plantings exceeded 3 feet in height and
2. Plantings encroached on the sidewalk, curb or street area.

I agree that the plantings exceeded 3 feet in height and encroached on the sidewalk, curb or street area. By August 14, 2014, I had removed and/or cut all of the plantings to just above grade level (Photo 1), as I was told by the City Clerk that this is a 'safety issue'. I have complied in a timely manner with the Summary Abatement Order issued to me by St. Paul officials.

I am protesting this Abatement Order because there are multitudes of plantings in the Como Park area where I live, which appear to violate City Code, including St. Paul own violations, which I have documented in the attached photos. I do not mind, if the City gives me an Abatement Order; but only if, the City is fairly and uniformly enforcing the Codes. The complaint I against the City of St. Paul concerning this Abatement Order relate to two issues:

1. The City of St. Paul has failed to 'protect public safety', by not uniformly and fairly enforcing city code in Chapter 105, due to the numerous, apparent planting violations in the Como Area, which I found.
2. The City of St. Paul has selectively targeted me, as it can be documented that there are multiple apparent violations close to my home, which are located on both private and St. Paul property. I did not find any plantings which were cut to three feet in height and or trimmed to prevent encroachment. Effectively, the City Code has been '**Weaponized**' against me by City employees. I will ask the City of St. Paul to provide prior documentation as to why the public and private sites that I have shown in the attached photos were not issued citations.

## Discussion

After receiving the ‘Abatement Order’, I first removed and/or cut down all of the native pollinator plants, as I would not contest a ‘safety violation’ by the city. After removing the plants, I drove around the Como Area photographing the multitude of street side gardens; including plants on St. Paul’s property. The Como area boundaries I drove around are: North of Front Street, South of Larpenteur, East of Hamline and West of Dale. The over 100 digital photographs are attached and have geotags on them, so that the location of the pictures can be identified. If Hearing Officer needs more examples of apparent garden planting violations, I can easily provide as many as needed. The four (4) main boulevard violations that I have seen in the Como area are:

1. Plants are greater than 36” high.
2. Plants within thirty (30) feet of intersections are greater than eighteen (18) inches high.
3. Plants within five (5) feet of an alley are greater than eighteen (18) inches high.
4. Plants encroach on the sidewalk and/or street.

All of the attached 100+ garden planting photos have at least one violation.

After going around the Como area looking at apparent planting violations, I realized that I did not see any boulevard plantings which were trimmed down to (3) three feet in height & trimmed so there is no plant encroachment on the sidewalk or street. This is another reason as to why I believe that I have been singled out by City Staff concerning planting violations, which is UNFAIR, UNJUST AND A ‘WEAPONIZATION’ OF CITY CODES.

Retaliation by using City Codes against me is a major concern of mine. During the past 6 to 7 years, I have written letters (which I can provide) and spoken out in opposition to City Projects and Issues which included: opposing the \$38 million Como Pavilion expansion, opposing the St. Paul tax increase, opposing the \$8 million Hamlin library, opposing the demolition of the historic St. Andrews church and spending \$8 million for Twin Cities German School, racially segregated primary charter schools in the Como area (Higher Ground, Hmong, Twin Cities German School), complaints about parking next to hydrants, noise, local traffic issues etc. The fact is St. Paul has the highest tax rate in the surrounding five-state area. Needless to say, I do not make friends this way – That’s OK. I am concerned that one person can call the City to complain about my boulevard plantings, which then requires the City to investigate my home, but not other properties (including St. Paul’s properties). If the City is not uniformly enforcing Chapter 105, a disgruntled person or city official has the power ‘weaponize’ the city codes, to retaliate against a person that they don’t like.

### **Requested Documentation from the City of St. Paul (Minnesota Data Practices Act):**

1. All City correspondence concerning how and why it was determined to investigate planting violations my property.
2. All correspondence as to why it was determined not to investigate other nearby apparent planting violations in the Como area, as shown in the attached digital photos.

3. All City 'Boulevard Abatement Orders' concerning Chapter 105, within the Como area for the previous three months from June 8 to August 8, 2024.

**Exhibits - Photo Documentation:**

Photo 1 – Photo documenting that my plantings were either removed or cut to grade at 1111 Argyle.

**City of St. Paul Apparent Violations:**

Photos 2 to 8 - The stop sign at the south west corner of Chatsworth & Jessamine Ave is obstructed, due to high vegetation growing next to the curb. The vegetation is about 10 feet high, is located along the curb for a distance of about (75) seventy-five feet from the stop sign. This is a very dangerous blind corner. According to City Code, the plantings should not exceed (18) eighteen inches in height for a distance of thirty feet. This obstructed stop sign is only located one block from my home, which I have lived at for 41 years. So, for the City to give me a citation for my plantings and not give a citation for obstruction of a stop sign is a factual injustice, incompetence and a 'weaponization' of City Code against me.

Photos 9 to 12 – The two roundabouts on Greig St, north of University Ave have plantings in excess of 18” and block the view of on-coming cars on the opposite side of the round-about.

Photos 13 to 17 – The Church Hill gardens have plantings exceeding (18) eighteen inches in height within a distance of thirty feet from intersections.

**Apparent Violations Boulevard Plantings in the Como Area:**

Photos 18 to 103 - Private boulevard plantings which are in apparent violation of City Code. I will not spend the time to write about each of these photos. I will quickly show the Legislative Hearing Officer each photo, to document the other multiple apparent planting violations.

Finally, I would like to thank the Legislative Hearing Officer for taking the time to review this Plantings Violations complaint.

Sincerely,

Stephen Greenwood