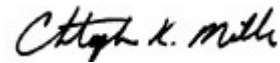


REQUEST FOR COUNCIL ACTION

Date: 05-11-2009
Item No.: 13.a

Department Approval

Acting City Manager Approval



Item Description: **Update to City Council on Code Enforcement actions taken to resolve current public nuisance violations at various Twin Lakes properties.**

BACKGROUND

At the March 30, 2009 City Council meeting the Council directed staff to inspect the Twin Lakes redevelopment area and act upon any public nuisances observed. Staff inspected the Twin Lakes area in early April and observed the following violations:

- o 2814 Cleveland Avenue (Dorso):
 - Junk and debris.
 - Building in need of maintenance.
- o 2001 County Road C (Roseville Properties):
 - Building not secure.
 - Building in need of maintenance.
- o 2690 Prior Avenue (P.I.K.):
 - Building not secure.
 - Graffiti.
 - Junk and debris.
 - Building in need of maintenance.
- o 2660 Cleveland Avenue (Roseville Properties):
 - Two buildings not secure.
 - Buildings in need of maintenance.
- o 1947 County Road C (Roseville Properties):
 - Two buildings not secure.
 - Graffiti.
 - Buildings in need of maintenance.

On April 17th notices were sent to all property owners identifying observed violations and requesting that public nuisances be corrected within 14 days. The notices addressed the more significant of the issues such as: buildings not secure, graffiti and junk/debris. Building maintenance issues were deferred in order to take care of the more imminent public safety issues first.

On May 5th, staff re-inspected each of the sites for compliance. Some of the identified public nuisances had been corrected while some had not:

- o 2814 Cleveland Avenue (Dorso) – violation not corrected.
- o 2001 County Road C – (Roseville Properties) violation corrected.
- o 2690 Prior Avenue – (P.I.K.) violations corrected.

o 2660 Cleveland Avenue – (Roseville Properties) violations not corrected, also additional debris dropped on site.

o 1947 County Road C – (Roseville Properties) violations not corrected.

Staff has had contact with representatives of Roseville Properties. In preparation for the demolition of the their buildings, they have opened up the building for inspections by demolition contractors. They are planning on tearing down the buildings in the next 60-90 days, and would like to hold off making any corrections (i.e. painting over the graffiti).

Staff is prepared to send second notices to those property owners who had not completed corrections. However, given the potential of the buildings at 2660 Cleveland Ave. and 1947 County Road C to be torn down in the near future, the City may want to consider holding off sending a second notice at this time. Staff would, however, send the second notice to 2814 Cleveland Ave as it relates to junk and debris on the property. The notice will state that if corrections were not completed in 10 days, the next course of action would be for the City to abate the violations.

For a historical perspective, a history of code enforcement actions taken in the Twin Lakes redevelopment area is attached (Attachment A).

A status update, including pictures, will be provided at the Council hearing.

The City Attorney will be prepared to discuss the Hazardous Building Law and how the City could initiate the procedure if desired.

POLICY OBJECTIVE

The City goals within the Comprehensive Plan are to protect and improve property values (Goal 3, 4, and 5; page 6 and, Section 3) and to adhere to performance standards which protect the integrity of the housing units and the neighborhood (Policy 6, page 8, Section 3).

FINANCIAL IMPACTS

Costs for abatements undertaken by the city are collected from the affected property owners:

In the short term, costs of abatements on commercial properties are paid out of the Community Development Department budget.

Each property owner is then billed for actual and administrative costs. If charges are not paid, staff recovers costs as specified in Section 407.07B.

STAFF RECOMMENDATION

Staff recommends that the Council direct Community Development staff to continue to work with the property owners to correct the code violations.

REQUESTED COUNCIL ACTION

Will be based on discussion.

Prepared by: Don Munson, Permit Coordinator; Patrick Trudgeon, Community Development Director

Attachments: A: Past code enforcement actions at Twin Lakes
B: Map showing location of code violations



Community Development Department

Memo

To: Pat Trudgeon, Community Development Director
From: Don Munson, Building Official
Date: 02-05-2009
Re: Twin Lakes – Code Enforcement

Following are the results of a search of computer files for land use violations occurring in the Twin Lakes Area bounded by County Road C, Cleveland, County Road C-2 and Arthur Street:

2009:

- 2660 Cleveland: File 2009-10: Snow not shoveled along pathway.
- 2001 Cty Rd C: File 2009-11: Snow not shoveled along pathway.
- 1947 Cty Rd C: File 2009-12: Snow not shoveled along pathway.

2008:

- 2001 Cty Rd C: File 2008-11: Snow storage covering public pathway.
- 2690 Cleveland: File 2008-36: Grass over 8".
- 2680 Prior Ave: File 2008-322: Danger to Children – broken windows – abated.
- 2001 Cty Rd C: File 2008-364: Grass over 8".
- 2660 Cleveland: File 2008-367: Grass over 8".
Snow storage covering public pathway.
- 2001 Cty Rd C: File 2008-913: Snow storage around building.
- 2001 Cty Rd C: File 2008-930: Snow storage around building.

2007:

- 1947 Cty Rd C: File 2007-276: Grass over 8".
Building not secure – open.
Junk & debris on site.
- 2650 Cleveland: File 2007-278: Grass over 8"
- 2690 Cleveland: File 2007-278: Grass over 8".
Junk & debris on site.
- 2750 Cleveland: File 2007-278: Grass over 8".
Debris pile in front of building.
- 2814 Cleveland: File 2007-278: Grass over 8".
Machinery stored in ROW.

- 2690 Prior Ave: File 2007-278: Grass over 8".
Junk & debris on site.
Building not secure – open.
Graffiti on building.
- 2001 Cty Rd C: File 2007-279: Grass over 8".
Building not secure – open.
Junk & debris on site.
- 2690 Cleveland: File 2007-280: Junk & debris on site and grass over 8".
- 2814 Cleveland: File 2007-283: Grass over 8".
- 1984 Cty Rd C-2: File 2007-284: Grass over 8".
- 2660 Cleveland: File 2007-290: Grass over 8".
Building Maintenance.
Building not secure – open.
Junk & debris on site.

2006:

- 2814 Cleveland: File 2006-68: Semi's stored in front yard areas.

2005:

- 1947 Cty Rd C: File 2005-66: Semi's stored in front yard areas.
Dirt being dumped in front yard area.

2004:

- 1947 Cty Rd C: File C04-26: Semi's stored in front yard areas.
- 1947 Cty Rd C: File C04-185: Grass over 8".

Attachment B

