

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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September 13, 2012

Mayor Dains called the Special City Council Meeting to order at 6:05 p.m.

Councilors present: Mary Gaasch, Roxanne Grove, Denise Hawkinson, Lara Mac Lean, and Mayor Jeff Dains.

Staff present: Heather Butkowski, City Administrator, Jim Bownik, Assistant to the City Administrator.

Mayor Dains asked for changes to the meeting agenda. The Council offered no changes to the agenda. Councilor Grove moved to approve the agenda. Councilor Mac Lean seconded the motion and it passed unanimously.

The meeting continued the hearing that began on August 16 to discuss the rental housing license held by Allan Giese, owner of 1954 Malvern Street.

The Mayor noted that city attorneys Ron Batty and Katrina Joseph would be addressing the Council on the matter. Batty said the council packet contained a memo providing guidance on how the meeting should continue procedurally. He also provided a resolution with the findings of fact known from the previous meeting that the Council could either use or disregard. At this meeting the Council would take further testimony and then made a decision regarding the facts.

Joseph addressed the Council. She noted the tenant of the lower unit, Orasa Mehrete, would be appearing in court on September 25 on the noise complaint. After the August hearing, there were two additional police calls. Joseph charged Mehrete for the noise complaint that occurred on August 20. She said the call from August 31 regarding the upper unit is not the type of violation she would normally charge. The call did, however, meet the criteria to be a violation of the rental housing ordinance.

The Mayor opened the floor for public comments at 6:12 p.m.

Jodi Glauvitz, tenant of the upper unit, addressed the Council. She said she was shocked when the police responded to a noise complain at her unit. She believes the caller heard a visitor to her unit who has a loud laugh. She felt the call was retaliatory.

Doug Turner, attorney for Allan Giese, Giese Rice Creek, LLC addressed the Council. Turner asked the Council not to revoke the license. He asked the Council not to revoke the license before the leases expire.

The Mayor closed the hearing at 6:17 p.m.

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Councilor Grove asked whether the property was in foreclosure. Batty said the sheriff sale happened on August 31. Turner and the tenants confirmed they were aware of the sheriff's sale.

Councilor Gaasch expressed frustration with the additional police calls. She said at a minimum the license should not be renewed or the license should be revoked sooner. Councilor Mac Lean reiterated the frustration with the additional police calls since the last meeting. Councilor Hawkinson piggy backed on the concern.

The Mayor said he too was disappointed by the additional police calls. He asked Batty to clarify whether the Council can still revoke the license if there are future violations if the Council decides to not renew the license in 2013. He said they could but should hold another hearing before making that decision.

The Council discussed the upper unit. They opted not to take action against this unit at this time.

Councilor Grove suggested not renewing the license for the lower unit effective January 1, 2013. Councilor Hawkinson agreed. Councilor Mac Lean suggested revoking the license effective on November 1, 2012.

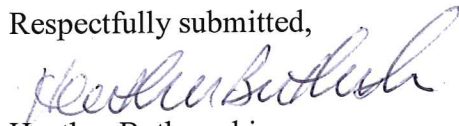
Batty addressed the issue of the pending foreclosure. He said the sheriff sale resulted in a change in ownership. Since licenses are not transferable, the City will have to address the issue of ownership should someone apply for a license in 2013.

The Council continued discussing whether to revoke or not renew the license for 1954 Malvern Street. The general consensus was not to renew the license.

Councilor Gaasch moved to direct staff to revise the resolution to reflect comments made during the meeting. Councilor Grove seconded the motion and it carried with all voting in the affirmative.

There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 7:00 p.m.

Respectfully submitted,



Heather Butkowski
City Administrator