

FILE

**LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, SEPTEMBER 22, 2009
7:30 P.M. LAUDERDALE CITY HALL
1891 WALNUT STREET**

1. ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVALS
 - a. Minutes of the September 8, 2009, City Council Meeting
 - b. Claims totaling \$22,603.62
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL
5. CONSENT
 - a. Appoint Election Judges
6. SPECIAL ORDER OF BUSINESS/RECOGNITION/PROCLAMATIONS
7. PUBLIC HEARINGS Public hearings are conducted so that the public affected by a proposal can have input in to the decision.
8. REPORTS
9. DISCUSSION / ACTION
 - a. Compliance Agreement with Minnesota Department of Agriculture Regarding the Trimming and Movement of Ash Trees
10. ITEMS REMOVED FROM THE CONSENT AGENDA
11. ADDITIONAL ITEMS
12. SET AGENDA FOR NEXT MEETING
 - a. Approval of the Comprehensive Plan
 - b. Presentation by Bob Milligan, member of the Capital Regions Watershed District Advisory Committee
13. WORK SESSION
 - a. Rental Dwelling Conduct
14. ADJOURN

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

Page 1 of 3

September 8, 2009

The Mayor called the City Council meeting to order at 7:30 p.m.

Councillors present: Clay Christensen, Karen Doherty, Lara Mac Lean, Denise Hawkinson,
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. There being none, Council
Hawkinson moved to approve the agenda. Councilor Mac Lean seconded the motion
and it passed unanimously.

Councilor Mac Lean moved to approve the August 25, 2009, City Council meeting
minutes. Councilor Hawkinson seconded the motion and it passed unanimously.

Councilor Hawkinson asked how much Superior Roofing charged to replace rotted boards
during the warming house roof project. Butkowski replied \$62.50.

Councilor Hawkinson moved approval of the claims totaling \$82,115.00. Councilor
Christensen seconded the motion and it passed unanimously.

Mayor Dains asked if members of the public wished to address the Council. No one
wished to address the Council.

Mayor Dains asked if councilors wished to remove items from the consent agenda. There
being none, Councilor Doherty moved the consent agenda approving a 2009 rental
housing license. Councilor Mac Lean seconded the motion and it passed
unanimously.

Butkowski updated the Council on changes to the budget since the last meeting. Due to
Council concerns over future unallotments and the impact of such things as emerald ash
borer, the contingency fund was increased by \$5,000 with the remaining funds budgeted
for the zoning ordinance update, copier costs, and snow plowing.

Mayor Dains pointed out that the Council made decisions to stop delivery of the Roseville
Review, cut the hours of a previously full-time position, and changed the election
schedule, which saves approximately \$50,000 per year. Additionally, a budget transfer to
the park fund was eliminated in 2009, thereby retaining an additional \$43,118 in the

general fund. These decisions covered almost three-quarters of the unallotted \$126,419 in local government aid (LGA) in 2008 and 2009.

Councilors expressed concerns over the on-going financial distress of the state and the impact that may have on the city. Councilors discussed the degree to which the levy would need to be raised to ensure the on-going delivery of services within the City without overly burdening residents.

After considerable discussion, Councilor Christensen motioned to raise the net levy 3.0% as presented in the council packet. Councilor Doherty seconded the motion.

The motion passed with Councilors Mac Lean, Hawkinson, Doherty, and Christensen voting yes, and Mayor Dains voting no.

Butkowski reminded the Council that overall, the general fund budget is 5% smaller than the previous year even with the 2.4% gross levy increase. Council Doherty reiterated that point by saying a 3% increase after a 10% loss of funding reflects the Council's effort to face the cuts in a reasonable way.

Councilor Christensen moved to adopt resolution 090809A – A resolution levying taxes for 2009 payable in 2010 in the amount of \$571,738 and establishing December 8, 2009, at 7:30 p.m. as the date and time of the truth in taxation hearing. Councilor Doherty seconded the motion and it passed unanimously.

The Council reviewed the one, two, and three year agreements proposed by Abdo, Eick, and Meyers (Abdo) for auditing services.

Councilor Mac Lean moved to enter into a one year agreement with Abdo, Eick, and Meyers for auditing services as presented. Councilor Hawkinson seconded the motion and it passed unanimously.

The Mayor acknowledged the list of agenda items for the next meeting which included appointing election judges and establishing a compliance agreement with the Minnesota Department of Agriculture regarding the trimming and movement of ash trees.

Mayor Dains explained the Council was moving into the work session. Work sessions are a continuation of the meetings but not aired on community television.

Chief Ohl attended the council meeting to discuss allowing dogs off-leash in the City Park. He said he thought it was an interesting idea and a great benefit to pet owners with well-trained dogs. His concern was that not everyone who lets their dog off-leash will actually have absolute voice control. He made three suggestions to the City Council based on the initial proposal drafted by Councilors Hawkinson and Christensen:

- Define sight control so that it doesn't exceed a certain distance;
- Provide the officers the discretion to issue warnings or citations to owners who are unable to control their dog; and
- Specify that owners may not allow their dogs to approach others in the park.

The Council discussed other issues that may occur if dogs are allowed off-leash such as too many dogs off-leash and establishing criteria or a means to test which dogs are under voice command. Some councilors expressed concern that the park is not large enough for both the dog park and an off-leash area in addition to the fact that some people are intimidated by the presence of dogs.

Councilors Hawkinson and Christensen will revisit their original proposal in light of the conversation and Chief Ohl's suggestions.

There being no further business on the council agenda, Councilor Christensen moved to adjourn the meeting. Councilor Doherty seconded the motion and it carried. The meeting adjourned at 9:22 p.m.

Respectfully submitted,

Heather Butkowski
City Administrator

**CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
September 22, 2009 City Council Meeting**

Payroll	9/18/09 Payroll: Direct Deposit # 500819-500828	\$8,046.23
	9/18/09 Payroll: Payroll Liabilities, e-payments 387E-390E	\$6,287.82
Vendor Claims	9/22/09: Check #s 19862-19877	\$8,269.57
SUBTOTAL		\$22,603.62
		\$8,046.23
		\$6,287.82
		\$8,269.57

No Additional Payments

Total Claims for Approval	\$22,603.62
----------------------------------	--------------------

\$8,046.23
\$6,287.82
\$8,269.57

CITY OF LAUDERDALE

Paid Register

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Check Amount	Check Date	Check Status
500826	00000002	HINRICHS, DAVID C	19	BI-WEEKLY	\$1,085.05		Outstanding
500827	00000005	HUGHES, JOSEPH A	19	BI-WEEKLY	\$1,812.51		Outstanding
500823	00000010	DAINS, JEFFREY	19	BI-WEEKLY	\$276.95		Outstanding
500819	00000011	BOWNIK, JAMES	19	BI-WEEKLY	\$1,494.42		Outstanding
500822	00000014	CHRISTENSEN, CLAY	19	BI-WEEKLY	\$184.70		Outstanding
500824	00000004	DOHERTY, KAREN	19	BI-WEEKLY	\$184.70		Outstanding
500820	00000007	BUTKOWSKI-HINRICHS, HE	19	BI-WEEKLY	\$1,818.70		Outstanding
500825	00000041	HAWKINSON, DENISE	19	BI-WEEKLY	\$184.70		Outstanding
500828	00000013	MAC LEAN, LARA	19	BI-WEEKLY	\$184.70		Outstanding
500821	00000017	CALLAHAN, COLLEEN	19	BI-WEEKLY	\$819.80		Outstanding
					<u>\$8,046.23</u>		

26

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Check Amount	Check Date	Check Status
500826	00000002	HINRICHS, DAVID C	19	BI-WEEKLY	\$1,085.05		Outstanding
500827	00000005	HUGHES, JOSEPH A	19	BI-WEEKLY	\$1,812.51		Outstanding
500823	00000010	DAINS, JEFFREY	19	BI-WEEKLY	\$276.95		Outstanding
500819	00000011	BOWNIK, JAMES	19	BI-WEEKLY	\$1,494.42		Outstanding
500822	00000014	CHRISTENSEN, CLAY	19	BI-WEEKLY	\$184.70		Outstanding
500824	00000004	DOHERTY, KAREN	19	BI-WEEKLY	\$184.70		Outstanding
500820	00000007	BUTKOWSKI-HINRICHS, HE	19	BI-WEEKLY	\$1,818.70		Outstanding
500825	00000041	HAWKINSON, DENISE	19	BI-WEEKLY	\$184.70		Outstanding
500828	00000013	MAC LEAN, LARA	19	BI-WEEKLY	\$184.70		Outstanding
500821	00000017	CALLAHAN, COLLEEN	19	BI-WEEKLY	\$819.80		Outstanding

Current Period: SEPTEMBER 2009

Batch Name 091809payrol

Payment

Computer Dollar Amt

Posted

CITY OF LAUDERDALE

Payments



Refer 1062	MIN DEPARTMENT OF REVENUE	Ck# 000387E 9/18/2009	9/09 State Withholding	\$828.90
	Cash Payment	G 101-21702 STATE WITHHOLDING		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total			\$828.90

Refer 1063	PERA	Ck# 000388E 9/18/2009	9/18/09 Payroll	\$1,374.92
	Cash Payment	G 101-21704 PERA		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total			\$1,374.92

Refer 1064	NORTH STAR BANK, CHECKING S	Ck# 000389E 9/18/2009	9/18/09 Payroll	\$1,883.20
	Cash Payment	G 101-21703 FICA WITHHOLDING		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total			\$1,374.92

Refer 1065	ICMA RETIREMENT TRUST - 457	Ck# 000390E 9/18/2009	9/18/09 Payroll	\$2,695.92
	Cash Payment	G 101-21705 ICMA RETIREMENT		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total			\$2,695.92

Refer 1066	ICMA RETIREMENT TRUST - 457	Ck# 000390E 9/18/2009	9/18/09 Payroll	\$1,388.08
	Cash Payment	G 101-21705 ICMA RETIREMENT		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total			\$1,388.08

Refer 1067	FUND SUMMARY		10100 NORTH STAR CHECKING	\$6,287.82
	Cash Payment			
	Transaction Date			
	Total			\$6,287.82

Refer 1068	Trans:Written Checks	\$6,287.82		
	Checks to be Generated by the Computer	\$0.00		
	Total	\$6,287.82		

Refer 1069	Cash Payment	812.72		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total	812.72		

Refer 1070	Cash Payment	368.08		
	Transaction Date	9/18/2009	Due 0	NORTH STAR CHEC 10100
	Total	368.08		

CITY OF LAUDERDALE

*Check Detail Register©

58

SEPTEMBER 2009

Check Amt Invoice Comment

10100 NORTH STAR CHECKING			
Paid Chk# 019862	9/22/2009	AFSCME	
G 101-21709	UNION DUES	\$107.52	9/09 Union Dues
Total AFSCME		\$107.52	
Paid Chk# 019863	9/22/2009	AVENET, LLC	
E 202-49500-307	COMPUTER SERVICES	\$111.00	4q09 Web Hosting
Total AVENET, LLC		\$111.00	
Paid Chk# 019864	9/22/2009	BONESTROO, ROSENE, ANDERLIK	
E 601-49000-304	ENGINEERING	\$648.75	8/09 Engineering Services
Total BONESTROO, ROSENE, ANDERLIK		\$648.75	
Paid Chk# 019865	9/22/2009	CINTAS	
E 602-49100-425	CLOTHING	\$50.69	PW Clothing
E 601-49000-425	CLOTHING	\$50.68	PW Clothing
Total CINTAS		\$101.37	
Paid Chk# 019866	9/22/2009	CITY OF FALCON HEIGHTS	
E 101-42100-321	FIRE CALLS	\$423.85	8/09 Fire Calls - general
E 101-42100-321	FIRE CALLS	\$847.70	8/09 Fire Calls - MNDOT
E 101-42100-322	FIRE FALSE ALARMS	\$423.85	8/09 Fire Calls - City Gables
Total CITY OF FALCON HEIGHTS		\$1,695.40	
Paid Chk# 019867	9/22/2009	EHLERS & ASSOCIATES	
E 101-48100-306	CONSULTING FEES	\$332.50	8/09 Consulting Services - TIF plan
Total EHLERS & ASSOCIATES		\$332.50	
Paid Chk# 019868	9/22/2009	EUREKA RECYCLING	
E 203-50000-389	RECYCLING CONTRACTOR	\$2,272.96	8/09 Recycling Contract
Total EUREKA RECYCLING		\$2,272.96	
Paid Chk# 019869	9/22/2009	INTEGRA	
E 101-41200-391	TELEPHONE/PAGERS	\$52.89	8/09 Fax Line
Total INTEGRA		\$52.89	
Paid Chk# 019870	9/22/2009	LILLIE SUBURBAN NEWS	
E 101-41100-352	PUBLIC INFO NOTICES	\$66.41	8/09 Public Notices - Spec Mtg, Electio
E 101-41200-352	PUBLIC INFO NOTICES	\$104.13	8/09 Public Notices - Ordinances
Total LILLIE SUBURBAN NEWS		\$170.54	
Paid Chk# 019871	9/22/2009	PUBLIC EMPLOYEES INS PROGRAM	
G 101-21706	HEALTH INSURANCE	\$1,177.79	10/09 Employee Insurance
Total PUBLIC EMPLOYEES INS PROGRAM		\$1,177.79	
Paid Chk# 019872	9/22/2009	RAMSEY COUNTY, PROP REC & REV	
G 101-21706	HEALTH INSURANCE	\$379.23	9/09 Health Insurance
E 101-41200-355	MISC PRINTING/PROCESS SER	\$25.00	9/09 Health Insurance

***Check Detail Register©**

CITY OF LAUDERDALE

SEPTEMBER 2009

Check Amt Invoice Comment

Check Amt	Invoice	Comment
\$404.23		Total RAMSEY COUNTY, PROP REC & REV
\$73.50	9/22/2009	RAPIT PRINTING
\$73.50		Total RAPIT PRINTING
\$385.88	9/22/2009	SAM'S CLUB
\$385.88		Total SAM'S CLUB
\$104.99	9/22/2009	SPRINT PCS
\$104.99		TELEPHONE/PAGERS
\$22.50		TELEPHONE/PAGERS
\$22.50		TELEPHONE/PAGERS
\$149.99		Total SPRINT PCS
\$15.55	9/22/2009	XCEL ENERGY, PARK & GARAGE
\$15.55		ELECTRIC
\$23.69		GAS UTILITIES
\$23.69		GAS UTILITIES
\$15.55		ELECTRIC
\$15.55		ELECTRIC
\$78.48		Total XCEL ENERGY, PARK & GARAGE
\$506.77	9/22/2009	XCEL ENERGY, STREET LIGHTING
\$506.77		STREET LIGHT UTILITY
\$506.77		Total XCEL ENERGY, STREET LIGHTING
\$8,269.57		10100 NORTH STAR CHECKING
\$8,269.57		10100 NORTH STAR CHECKING
\$4,704.61		101 GENERAL
\$385.88		201 COMMUNITY EVENTS
\$111.00		202 COMMUNICATIONS
\$2,272.96		203 RECYCLING
\$721.93		601 SEWER UTILITIES
\$73.19		602 STORM SEWER ENTERPRISE FUND
\$8,269.57		Fund Summary

LAUDERDALE COUNCIL ACTION FORM

Meeting Date September 22, 2009	ITEM NUMBER 5A - Appoint Election Judges
STAFF INITIAL _____	APPROVED BY ADMINISTRATOR _____

Action Requested	
Consent	<input checked="" type="checkbox"/>
Public Hearing	<input type="checkbox"/>
Discussion	<input type="checkbox"/>
Action	<input type="checkbox"/>
Resolution	<input type="checkbox"/>
Work Session	<input type="checkbox"/>

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Below are individuals willing to serve as election judges for the November 3 general election. Election judges must be appointed by the City Council. Many of these election judges have faithfully performed their election judge duties for many years and there are some new residents on the list. Juliane Kvalbein will be the Head Election Judge again this year.

Returning Judges	
Karen Doherty	Jim Bownik
Ginny James	Juliane Kvalbein
Mary Jane Sventek	Gayle Mangen
Jeanne Tanamachi	Hans Simons
Andrea Moffatt	Patricia Craft
Gloria Rusehmeyer	Donna Bowe

Judges must declare a major party affiliation (Republican, Democratic-Farmer-Labor, or Independence). Party affiliation is not public information, but we do have the required representation. Additionally, judges must attend a two-hour training session every two years as required by State Law.

The city supplies breakfast, lunch, and dinner and judges are paid \$8.00 per hour for training and on election day (\$9.00 for the head judge).

OPTIONS:


STAFF RECOMMENDATION:

Motion to approve the election judges listed above for the November 3 general election.

COUNCIL ACTION:

051-644-7923 yes I do Donna
 051-792-7656 yes I do Judith
 051-612-9159 yes I do Carol
 051-644-7923 yes I do Donna
 051-792-7656 yes I do Judith
 051-612-9159 yes I do Carol
 051-644-7923 yes I do Donna
 051-792-7656 yes I do Judith
 051-612-9159 yes I do Carol

**LAUDERDALE COUNCIL
ACTION FORM**

Meeting Date	September 22, 2009
ITEM NUMBER	9A - Compliance Agreement
STAFF INITIAL	
APPROVED BY ADMINISTRATOR	_____

Action Requested	Consent	_____
	Public Hearing	_____
	Discussion	X
	Action	X
	Resolution	_____
	Work Session	_____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Public works staff trims trees so the Minnesota Department of Agriculture (MDA) is requiring the City to enter into a compliance agreement with them (draft attached). This is being required of all trimmers that work within or take materials in and out of the quarantine areas. Currently, city staff deposits tree trimmings at a Ramsey County site, which fits within the parameters of the quarantine/ compliance agreement (i.e. no unchipped ash or hardwood material can leave the quarantine area.)

OPTIONS:

STAFF RECOMMENDATION:

Motion to approve the compliance agreement with the Minnesota Department of Agriculture as presented.

COUNCIL ACTION:

**MINNESOTA DEPARTMENT OF AGRICULTURE
COMPLIANCE AGREEMENT
MN-TRANSP**

1. Name or Address of Person or Firm

NAME:
ESTABLISHMENT: City of Lauderdale

ADDRESS: 1891 Walnut St
CITY, STATE, ZIP: Lauderdale, MN 55113

2. Location:

ADDRESS:
CITY, STATE, ZIP

COUNTY:
PHONE:

3. Regulated Article(s): **Transport of Regulated Articles: Ash Logs, Lumber, Stumps, Branches, and Raw Chips (Excluding Firewood) To Approved Receiving Facility**

4. Applicable Laws/Regulations: **Emerald Ash Borer (*Agilus planipennis*), MN Statutes 18G, 18J, 239 and the State of Minnesota EAB Interior Quarantine**

5.

Section I. Agreement

I/We agree to the following: **The City of Lauderdale** hereby enters into a Compliance Agreement with the Minnesota Department of Agriculture (MDA) under the provisions of the Emerald Ash Borer Quarantine and agrees to ship regulated articles intrastate only as provided for on this Compliance Agreement.

In general this establishment does not anticipate shipping any regulated articles out of or through the quarantined area. If these practices change this establishment will contact the MDA to give notification and ensure adherence to the State Quarantine No. RF-1036, RF-1076.

Section II. Conditions

This establishment will move regulated ash logs, lumber, stumps, branches, and chips intrastate from a quarantined area only if the regulated article will move to an approved receiving facility under an appropriate MDA Compliance Agreement. Each shipment will be in an enclosed vehicle or have covering adequate to prevent the loss of regulated articles.

A. Shipment Date Periods:

1. October 1 to March 31: Shipments will be allowed. Shipments must proceed from origin to the approved receiving facility destination without stopping (except for refueling or traffic conditions).
2. April 1 to September 30: No shipment of regulated materials under this compliance agreement unless approved by MDA and specified otherwise in the Standard Operating Procedure (SOP) in Attachment A-2.

B. Certificate requirements: The following certificate/permit is required:

This establishment will ensure that each shipment of treated regulated material moved intrastate is accompanied by an MDA certificate or permit. The establishment will ensure that the state certificates/permits are safeguarded from misuse, unauthorized use, and loss. No certificates/permits are to be duplicated without the written approval of the Minnesota Department of Agriculture.

C. Attachment: A standard operating procedure (SOP) must be prepared outlining the procedures to be used to meet Quarantine regulation requirements. The SOP will be attached as a part of this Compliance Agreement. See Attachment A-2.

D. Out of State Product: If this establishment receives regulated ash material sourced from another state, or transports regulated articles to another state, additional stipulations will apply. Please contact local USDA APHIS PPQ office.

E. Records: This establishment will maintain records of all shipments of regulated materials. Shipment records must be maintained for at least 36 months by this establishment and broker/supplier. All document requests will be filled within 48 hours of the initial request.

Section III. Inspection Authority

The MDA retains the right to conduct unannounced inspections of regulated articles, monitor inspection procedures and examine shipment, treatment and certification/permit records at any time.

Section IV. Failure to Comply

If **The City of Lauderdale** fails to comply with the provisions of this Compliance Agreement and/or the Emerald Ash Borer Quarantine regulations, this Compliance Agreement will be canceled. Violations of Minnesota state regulations are subject to civil penalties of up to \$7,500 per day of violation, the criminal penalties of misdemeanor, or both. (Minnesota Statutes Section 18J.10 and 18J.11 (2008).)

5. (cont'd)

Section V. Notification of Change

The establishment must notify the local MDA office in the event that: 1) the designated signatory individual in block 6 changes; 2) the applicant/company physically relocates; 3) the company name or ownership changes; or 4) any other event which may affect the handling of the regulated article occurs.

Section VI. Agreement Validation

This Compliance Agreement replaces and supersedes any other Compliance Agreements issued to **The City of Lauderdale** by the MDA for the handling of regulated articles described in box 3 above.

Compliance agreements are non-transferable to another location or another person.

Signing below will validate this agreement, which shall remain in effect one year, but may be revised as necessary or revoked for noncompliance.

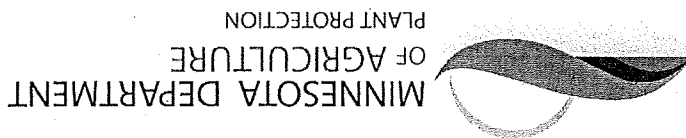
6. Signature		7. Name and Title (Please Print)	8. Date Signed
9. Agreement Number: RF-1183		10. Date of Agreement	
11. State Agency Official (Name, Title, Agency)			
Geir Friisoe, Director, Plant Protection Division Minnesota Department of Agriculture		12. Address Minnesota Department of Agriculture Plant Protection Division 625 Robert Street North, Saint Paul, MN 55155	
13. Signature		14. Date	

DOES NOT APPLY

Attachment A-1 Treatment Requirements

August 26, 2009

Attachment A-2 Standard Operating Procedure



Compliance Agreement #: RF-1183 (MDA)

9/1/2009

City of Lauderdale, MN
1891 Walnut St
Lauderdale, MN 55113
651-792-7650

1. The City of Lauderdale (City) workers must take all trimmings, logs or any waste from work done on ash trees to the Ramsey County Yard Waste Site on Kent Avenue.

2. The City of Lauderdale contracts Blue Chip Tree Care Company to do a majority of the City's tree maintenance. Blue Chip Tree Care Company will also operate under a MDA compliance agreement.

3. At this time the City of Lauderdale does not offer ash tree waste material in any form (including wood chips or firewood) to its residents.

5. For more information, call Renae Smith, 651-201-6245, at the Minnesota Department of Agriculture, 625 Robert St N, St Paul, MN 55155.

COUNCIL ACTION:

STAFF RECOMMENDATION:

OPTIONS:

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Police calls to 1846 Walnut Street are an on-going concern. A verbal altercation occurred on Friday, September 11, involving one of the tenants. The verbal altercation occurred between 5 a.m. and 6 a.m. and woke several neighbors on the block. The police report states the location of the incident was the 1800 block of Walnut Street. It has yet to be determined if disorderly conduct occurred on the property. If so, the council could hold a hearing to revoke, suspend, or not renew the rental housing license. The owner is due for inspection and renewal at the end of the year. Katrina Joseph, the city's prosecuting attorney, plans to be at the meeting to discuss the matter and answer questions.

ENCLOSURES

August 13, 2009 letter to property owner
 August 21, 2009 memo from Colleen to Katrina summarizing activity
 September 11, 2009 police report
 Rental Housing Licensing Provisions

ACTION REQUESTED	<input type="checkbox"/> Consent <input type="checkbox"/> Special <input type="checkbox"/> Public Hearing <input type="checkbox"/> Report <input type="checkbox"/> Discussion/Action <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Work session
LAUDERDALE COUNCIL	MEETING DATE September 22, 2009 ITEM NUMBER Rental Dwelling Conduct STAFF INITIAL Jim APPROVED BY ADMINISTRATOR

City of Lauderdale
The Island in the Metros

CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
FAX 651-631-2066

August 13, 2009

Mr. Jim Eischens
708 5th Street SE
Minneapolis, MN 55414-2176

Dear Mr. Eischens,

On June 18, 2009 the city sent a notice to you regarding the on-going complaints at 1846 Walnut Street. Since then the police have responded to 22 additional calls for police service at this address, 15 in June and 7 in July. In late June your property manager, Jennifer, informed us by phone that two of your renters were being evicted and she expected this action would eliminate the issues.

As this is your second notice of disorderly use, per city ordinance, we ask that you notify us in writing of any action beyond the two evictions you plan to take to prevent disorderly use of the premises. If another instance of disorderly use occurs within three months, pursuant to the rental licensing regulations, the rental dwelling license for the premises may be revoked, suspended or denied.

If you have any question about this letter, please call City Hall at 651-792-7650. City staff is available to answer your questions.

Sincerely,

Colleen Callahan
Deputy City Clerk

cc: Jennifer
Transmitted: via e-mail

Memorandum

To: Katrina E. Joseph, City Attorney
CC: Heather Butkowski, City Administrator
From: Colleen Callahan, Deputy City Clerk
Date: 8/21/09
Re: 1846 Walnut Activity

Background Information

In the late fall of 2008 I began tracking and responding to police disturbance calls at rental properties per city ordinance. Disorderly conduct is monitored monthly as we receive police reports from St. Anthony. When conduct at a rental unit is considered disorderly we send the property owners our first correspondence (LTR1). It is to inform the owner of the incident and ask that they monitor the situation. A second letter (LTR2) is sent if another incident happens within a three month period, otherwise LTR1 is resent. LTR2 requests that the owner submit a written report outlining the actions they have taken and propose to take to abate the issue. LTR3 is sent if another disorderly conduct occurs within three months of the previous notice. This correspondence is to inform the owner that there is a hearing due to the continual disorderly activities at their property to possibly revoke their license.

History of Activity

The property at 1846 Walnut Street had several disturbance calls between September and December of 2008. In October LTR1 was sent. In January 2009, LTR1 was sent again, due to some turn over that had occurred.

January through March there were no disturbance calls to the property. In June we received the May report and there were 9 calls to the property. Due to the time lapse between the last issue and these LTR1 was again forwarded. In this correspondence we requested a written report outlining the actions taken and proposed to be taken in order to prevent further issues at the premises. They contact Heather and informed her that the residents were being evicted.

In August we received the reports for both June and July. Calls to the property persisted. In June and 7 in July. "LTR2" was sent in August requesting a report and putting them on notice that if another incident occurred within three months they may lose their license.

Attached are copies of the letters and reports from the police department.

This Chapter applies to all rental dwellings in the City, including any accessory structures on the premises upon which the rental dwelling is located, such as garages and storage buildings and appurtenances, such as sidewalks and retaining walls. This Chapter does not apply to on-campus college or university housing units; Minnesota Department of Health licensed rest homes; convalescent care facilities; licensed group homes; nursing homes; hotels; motels; owner-occupied units; or condominium units as defined and governed by Minnesota Statutes Chapters 515, 515A, and 515B.

9-11-2 APPLICABILITY; SCOPE.

It is the purpose of this Chapter to protect the public health, safety and welfare of the community at large and the residents of rental dwellings in the City of Lauderdale and to ensure that rental housing in the city is decent, safe and sanitary and is so operated and maintained as not to become a nuisance to the neighborhood or to become an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community. The operation of rental residential properties is a business enterprise that entails certain responsibilities. Owners and operators are responsible to take such reasonable steps as are necessary to ensure that the citizens of the city who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are: safe, secure and sanitary; free from noise, nuisances or annoyances; and free from unreasonable fears about safety of persons and security of property.

9-11-1 PURPOSE.

PURPOSE	9-11-1
APPLICABILITY; SCOPE	9-11-2
ADOPTION OF PROPERTY MAINTENANCE CODE	9-11-3
DEFINITIONS	9-11-4
ENFORCEMENT OFFICER	9-11-5
RESPONSIBILITY OF OWNER (LANDLORD)	9-11-6
RESPONSIBILITY OF OCCUPANT (RENTER)	9-11-7
GENERAL LICENSING PROVISIONS	9-11-8
INSPECTIONS	9-11-9
CONDUCT ON LICENSED PREMISES	9-11-10
CONDITION OF LICENSED PREMISES	9-11-11
HEARING PROCEDURE	9-11-12
MISDEMEANOR	9-11-13

CHAPTER 11
RENTAL HOUSING LICENSE PROVISIONS

9-11-3 ADOPTION OF PROPERTY MAINTENANCE CODE.

The International Property Maintenance Code, 2003 edition, as published by the International Code Council, is adopted by reference in its entirety, except as modified or amended in this Code. Nothing in this Chapter or the International Property Maintenance Code shall be construed to cancel, modify, or set aside any other provision of the City Code.

9-11-4 DEFINITIONS.

"Building Official" means the building inspector or a designated agent authorized by the City Council to administer and enforce this Chapter.
"City" means the City of Lauderdale.
"City Administrator" means the City Administrator or the City Administrator's designated agent.

"Multiple Family Dwelling" means a rental dwelling containing three (3) or more units.

"Occupant" means any person living or sleeping in a rental dwelling unit, or having possession of a space within a rental dwelling unit.

"Owner" means, with respect to all matters involving the making of applications and the giving of notices, the individuals or entities holding legal and equitable title to the premises, or the legally constituted agent designated by the owner for such purposes.

"Premises" means a lot, plot, or parcel of land including the building or structures thereon.

"Rental Dwelling" means a building or premises, or portion thereof, used or intended to be used for residential rental purposes.

"Resident Agent" means any person who has charge, care or control of a rental dwelling.

"Unit" means a single unit within a rental dwelling providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

9-11-5 ENFORCEMENT OFFICER.

The City Building Official is authorized and directed to enforce all provisions of this Chapter, subject to review by the City Council.

1. Furnished Fixtures. Every occupant of a rental dwelling shall keep the supplied plumbing fixtures and facilities within his or her unit in a clean and sanitary condition and shall exercise reasonable care in their proper use and operation in accordance with this Chapter.

D. Plumbing Fixtures.

C. Disposal of Rubbish. Every occupant of a rental dwelling shall store and dispose of all his or her rubbish, garbage and waste in a clean, sanitary and safe manner. All rubbish, garbage, and waste must be collected by a hauler who is licensed by the City as required by Section 4-2-11 of this Code.

B. Cleanliness. Every occupant of a rental dwelling is responsible for keeping his or her unit, and any part of the premises which he or she occupies or controls, in a clean, sanitary and safe condition in conformance with this Chapter, applicable provisions of the City Code and the International Property Maintenance Code.

A. Access By Owner. Every occupant of a rental dwelling shall give the owner or resident agent access to his or her unit, and that part of the premises which he or she occupies or controls, at reasonable times for the purpose of inspections and maintenance, and making necessary repairs or alterations on the premises.

9-11-7 RESPONSIBILITY OF OCCUPANT (RENTER).

C. Obtain License. The owner or resident agent must obtain a license and pay all license fees as required by this Chapter before the rental dwelling may be rented.

B. Cleanliness. Every owner of a rental dwelling is responsible for keeping that part of the premises which he or she occupies or controls in a clean, sanitary and safe condition in conformance with this Chapter, applicable provisions of the City Code and the International Property Maintenance Code, including any shared or common areas in a multiple family dwelling.

A. Owner Responsible. Every owner of a rental dwelling is responsible for violations of duties and obligations imposed by this Chapter even if the duty or obligation is also imposed on the occupant(s) of the rental dwelling, or even if the owner, by agreement, has imposed on the occupant(s) the duty of making sure that the rental dwelling complies with the requirements of this Chapter, applicable provisions of the City Code and the International Property Maintenance Code.

9-11-6 RESPONSIBILITY OF OWNER (LANDLORD).

with this
national

C. License Fees. The owner must pay an annual license fee, the amount of which will be determined by the City Council. The license fee schedule is

- 5. the type of structure to be licensed (i.e., single-family, duplex, triplex).
- 4. the type and number of units within the rental dwelling; and
- 3. legal address of the rental dwelling;
- 2. the resident agent's name, address and telephone number;
- 1. the owner's name, address, and telephone number, owning partners if a partnership, corporate officers if a corporation;

The application must include:
The owner must give notice, in writing, to the City within five (5) business days of any changes to the information contained in the license application.
B. License Application. The owner of a rental dwelling must submit an application for a license on forms and in the format provided by the City.

2. There are two types of licenses: Tier I and Tier II. Except as otherwise provided in this Chapter, both Tier I and Tier II licenses must comply with all provisions of this Chapter. (Amended, 2-13-2007)

1. It is unlawful to operate a rental dwelling in the City without first having obtained a license from the City. An owner must obtain a license for each rental dwelling. If the rental dwelling contains two or more units, and has a common owner and a common property identification number, the owner may obtain a single license for the rental dwelling.

A. License Required.

9-11-8 GENERAL LICENSING PROVISIONS.

2. Fixtures Furnished By Occupant. Every plumbing fixture furnished by the occupant shall be properly installed and maintained in good working condition, shall be clean and sanitary, and free from defects, leaks or obstructions in accordance with this Chapter, applicable provisions of the City Code and the International Property Maintenance Code.

applicable provisions of the City Code and the International Property Maintenance Code.

- a. The City will issue Tier II licenses only to applicants who are operating a rental dwelling with a tenant residing in the rental dwelling on the effective date of this Chapter. (Amended, 2-13-07)
- b. The Tier II license holder shall pay the Tier II license fee as established by the City Council. (Amended, 2-13-07)
- c. If the Tier II license holder corrects the violations in the compliance order(s), the license may apply for a Tier I license after the expiration of the current initial license period. (Amended, 2-13-07)

- 4. Tier II Licenses. If the owner does not correct the items in the compliance order within the specified period of time, the City will issue a Tier II license to the owner, subject to the following conditions:
 - 1. Preliminary Inspection and Investigation. Prior to issuing a license, the Building Official will inspect the rental dwelling to determine compliance with this Chapter, the City Code and the International Property Maintenance Code. The City Administrator will review the application for completeness and determine whether all real estate taxes and municipal utilities are paid and current.
 - 2. Tier I License. If the rental dwelling is in full compliance with paragraph (1), the City will issue a Tier I license to the owner.
 - 3. Compliance Order. If the rental dwelling is not in full compliance with paragraph (1), the City will provide the owner or resident agent with a compliance order pursuant to Section 9-11-11. If the owner corrects the items in the compliance order within the specified period of time, the City will issue a Tier I license to the owner.

License Issuance.

- D. License Period. The initial license period begins upon the effective date of this Chapter, and ends on December 31, 2007. Thereafter, the license period is for one year and runs from January 1 to December 31. The license must be renewed annually.
- The owner must submit the required fee along with the application for a new or renewal license. Applications for a renewal license submitted after the license term expiration are subject to a penalty fee, which shall be determined from time to time by the City Council.

Renewal of License. An owner may continue to rent a dwelling after the expiration date of the license provided the owner has filed with the City on or before December 31st, the appropriate renewal license application and license fee. The issuance of a license under this Chapter shall be considered a privilege and not an absolute right of the owner and shall not entitle the owner to an automatic renewal of the license. Allowing the owner to continue to rent while the renewal license is being processed does not obligate the City to automatically renew the license.

G.

Posting of License. The owner shall post a copy of the license in the rental dwelling in a conspicuous place. In multiple dwelling units requiring a single license, the license shall be posted in a common area of the building such as a corridor, hallway or lobby. The posted license shall be framed and covered with clear glass or plastic.

F.

Unsafe or Dangerous Conditions. No owner or resident agent may operate a rental dwelling, regardless of the type of license issued, if the Building Official determines that a condition exists in or on the rental dwelling or premises that is unsafe or poses an imminent danger to the health or safety of the tenants or the public. Any person who continues to operate a rental dwelling after such a determination by the Building Official is subject to suspension or revocation of the license, criminal prosecution, and any civil remedies available to the City. (Amended, 2-13-07)

5.

The City will issue no Tier II licenses after December 31, 2007. After that date, all applicants and rental dwellings must qualify for a Tier I license from the City. (Amended, 2-13-07)

F.

All Tier II licenses expire upon one of the following, whichever occurs earlier: i) the existing tenant vacates the rental dwelling; ii) the existing lease term for the rental dwelling expires; iii) the initial license period expires on December 31, 2007; or, iv) the Building Official determines that an unsafe or dangerous condition exists as described in Section 9-11-8(E)(5). (Amended, 2-13-07)

e.

Subject to the limitation in Section 9-11-8(E)(5), if violations in an outstanding compliance order(s) remain uncorrected, a Tier II license holder may continue to let a rental dwelling until end of the owner's existing lease term with the current tenant. (Amended, 2-13-07)

d.

Occupant Initiated Inspection. An occupant who believes that his or her rental dwelling is not in compliance with the provisions of this Chapter,

Inspections. The City will inspect all rental dwellings periodically to determine compliance with this Chapter, the City Code and the International Property Maintenance Code. The City will inspect rental dwellings with odd-numbered addresses in odd years and rental dwellings with even-numbered addresses in even years. After each inspection, the City shall provide the owner or resident agent with a compliance order pursuant to Section 9-11-11. The owner or resident agent must correct the violations within the time period specified in the compliance order. If the violations are not corrected, the City may suspend or revoke the license under Section 9-11-12, unless it is the initial license period, in which case, the license is valid until the end of the owner's existing lease with the current tenant as noted in section 9-11-8(E)(4)(e). The City may, however, immediately suspend or revoke a license if an unsafe or dangerous condition exists as described in Section 9-11-8(E)(5). (Amended, 2-13-07)

9-11-9 INSPECTIONS.

1. Address(es) of the rental dwelling;
2. Number of bedrooms of each unit;
3. Number of units in each building; and
4. Number of adults and children (under 18) currently occupying each unit.

Register of Occupancy. The owner or its resident agent shall keep a current register of occupancy for each rental dwelling. This register of occupancy may be reviewed by the City at any time. Said register of occupancy shall contain, at a minimum, the following information:

Resident Agent Required. Owners of rental dwellings with five (5) or more individual units shall appoint a resident agent who shall reside within the rental dwelling to be responsible for the maintenance and upkeep of the rental dwelling and common areas and to handle licensing issues with the City. Owners of rental dwellings containing fewer than five (5) units who do not reside within the counties of Ramsey, Hennepin, Anoka, Carver, Dakota, Scott, Washington, Wright, Chisago, Isanti or Sherburne shall appoint an agent that resides within one of these counties that shall be the responsible resident agent.

Transfer of License. Licenses are not transferable. Any changes in the ownership of the rental dwelling require a new license.

- 7. Violation of City Code section 5-2-2 or violation of Minnesota Statutes section 609.72 as may be amended from time to time, relating to disorderly conduct;
- 6. Violation of Minnesota Statutes sections 97B.021, 97B.045, 609.66 through 609.67, 624.712 through 624.716, 624.719, 624.731 through 624.732 as may be amended from time to time, relating to the unlawful possession, transportation, sale or use of weapons;
- 5. Violation of Minnesota Statutes section 609.33 as may be amended from time to time, which prohibits owning, leasing, operating, managing, maintaining or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
- 4. Violation of Minnesota Statutes sections 340A.401 and 340A.503 as may be amended from time to time, relating to the unlawful commercial sale and underage consumption of alcoholic beverages;
- 3. Violation of Minnesota Statutes sections 152.01 through 152.027 as may be amended from time to time, relating to the unlawful sale or possession of controlled substances;
- 2. Violation of laws relating to prostitution or acts relating to prostitution as defined in Minnesota Statutes section 609.321;
- 1. Violation of Minnesota Statutes sections 609.755 through 609.76 as may be amended from time to time, relating to gambling;

A. Owner Responsible. It shall be the responsibility of the owner or resident agent to see that persons occupying the rental dwelling conduct themselves in such a manner as not to cause the premises to be disorderly. This section applies to both Tier I and Tier II licenses. For purposes of this section, a rental dwelling is disorderly at which any of the following activities occur:

9-11-10 CONDUCT ON LICENSED PREMISES.

City Code or the International Housing Maintenance Code may provide written notice to the owner or resident agent of the rental dwelling specifying the alleged deficiency. If the owner or resident agent does not take action to correct the alleged problem, the occupant may contact the City and request an inspection of the rental dwelling by the Building Official upon showing proof that the owner or resident agent had been properly notified and has been given a reasonable time in which to correct deficiencies. The cost of the inspection shall be paid by the owner if the City's inspection reveals actual deficiencies as described by the occupant.

- 8. Violation of City Code section 5-7 relating to recreational fires;
 - 9. Violation of City Code section 5-8 relating to clandestine drug labs;
 - 10. Violation of City Code section 4-1 relating to nuisances; or
 - 11. Violation of City Code section 5-3 relating to animal control.
- B. City Enforcement. The City Administrator is responsible for enforcement and administration of this section.
- C. First Violation. Upon determination by the City Administrator that a licensed premises was used in a disorderly manner, as described in paragraph (A) of this section, the City Administrator must give notice to the licensee of the violation and direct the licensee to take steps to prevent further violations.
- D. Second Violation. If another instance of disorderly use of the licensed premises occurs within three months of an incident for which a notice in division (C) of this section was given, the City Administrator must notify the licensee of the violation and must also require the licensee to submit a written report of the actions taken, and proposed to be taken, by the licensee to prevent further disorderly use of the premises. This written report must be submitted to the City Administrator within five days of receipt of the notice of disorderly use of the premises and must detail all actions taken by the licensee in response to all notices of disorderly use of the premises within the preceding three months.
- E. Third Violation.
- 1. If another instance of disorderly use of the licensed premises occurs within three months after any two previous instances of disorderly use for which notices were given to the licensee pursuant to this section, the rental dwelling license for the premises may be denied, revoked, suspended or not renewed. An action to deny, revoke, suspend, or not renew a license under this section must be initiated by the City Administrator who must give to the licensee written notice of a hearing before the City Council to consider such denial, revocation, suspension or non-renewal. Such written notice must specify all violations of this section, and must state the date, time, place and purpose of the hearing. The hearing must be held no less than ten days and no more than 30 days after giving such notice.
 - 2. Following the hearing, the City Council may deny, revoke, suspend or decline to renew the license for all or any part or parts of the

- B. Contents of the Compliance Order. The compliance order shall:
 - A. Compliance Order. Whenever the Building Official determines that the condition of any rental dwelling or the premises surrounding it fails to meet the provisions of this Chapter, other applicable City Code provisions or the International Property Maintenance Code, he or she may issue a compliance order setting forth the specific violations and ordering the owner to correct such violations.
 - I. Enforcement Actions. Enforcement actions provided in this section are not exclusive, and the City Council may take any action with respect to a licensee, a tenant, or the licensed premises as is authorized by the city code, state or federal law.
 - H. Service of Notices. All notices given by the City under this section must be personally served on the licensee, sent by certified mail to the licensee's last known address or, if neither method of service effects notice, by posting on a conspicuous place on the licensed premises.
 - G. Finding of Disorderly Conduct. A determination that the licensed premises have been used in a disorderly manner as described in paragraph (A) of this section shall be made upon a fair preponderance of the evidence to support such a determination. It is not necessary that criminal charges be brought in order to support a determination of disorderly use nor does the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.
 - F. No Adverse Action Pending Eviction. No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the licensee to a tenant to vacate the premises where the disorderly use was related to conduct by that tenant or by other occupants or guests of the tenant's unit. Eviction proceedings are not a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further instances of disorderly use.
- licensed premises or may grant a license upon such terms and conditions as it deems necessary to accomplish the purposes of this section.

9-11-11 CONDITION OF LICENSED PREMISES.

A. Scheduling of Hearing. If the City makes a determination that it will be denying, suspending, revoking or not renewing a license pursuant to Sections 9-11-10 or 9-11-11 of this Chapter, or if the owner or resident agent is appealing the compliance order pursuant to Section 9-11-11 of this Chapter, the City Council shall conduct a hearing on the matter. The hearing shall be scheduled at the next regular City Council meeting following the date of the notice or receipt of the owner's notice of appeal of a compliance order.

9-11-12 HEARING PROCEDURE.

D. Appeal. When it is alleged by the owner or resident agent that the compliance order is based upon the erroneous interpretation of this Chapter, other applicable City Code provisions or the International Property Maintenance Code, the owner or resident agent may appeal the compliance order to the City Council. Such appeal shall be in writing, must specify the grounds for the appeal, must be accompanied by a filing fee, as set forth by resolution of the City Council, from time to time, and must be filed with the City within five (5) business days after service of the compliance order. The appeal shall be heard by the City Council pursuant to the procedure set forth in Section 9-11-12 of this Chapter. The filing of the appeal shall stay all proceedings in furtherance of the action appealed from, unless such a stay would cause imminent peril to life, health or property.

C. License Action. If the violations listed in the compliance order are not remedied by the owner or resident agent within the specified time given in the order, the license for the rental dwelling may be denied, suspended, revoked, or not renewed by the City. An administrative fine in an amount set forth from time to time by the City Council by resolution may also be imposed. If the City decides that it will be denying, suspending, revoking or not renewing a license or imposing an administrative fine pursuant to this Section, the City shall send a notice of the proposed action to the owner and resident agent of the rental dwelling. The proposed action by the City shall be heard by the City Council pursuant to the procedure set forth in Section 9-11-12 of this Chapter.

1. Be in writing;
2. Describe the location and nature of the violations;
3. Set forth a reasonable time for the correction of the violations by the owner or resident agent; and
4. Be served upon the owner and resident agent either personally or by certified mail. A copy of the compliance order shall also be provided to the occupants of the rental dwelling.

ear has
lute a
noble

er
er

Adopted by the city council of the City of Lauderdale the 25th day of July, 2006.

Failure by an owner to comply with a compliance order after the right of appeal has expired or violation of any of the provisions of this Chapter shall constitute a misdemeanor. Each day that a violation continues shall be deemed a separate punishable offense.

er
er
er

er
er

9-11-13 MISDEMEANOR.

E. Appeal. An owner may appeal the decision of the City Council as allowed under state law.

D. No Occupancy. If a license is revoked, suspended, denied or not renewed by the City Council, it shall be unlawful for the owner or the resident agent to thereafter permit the occupancy of the rental dwelling or the unit. A notice of the action shall be posted by the Building Official on the rental dwelling or the unit in order to prevent any further occupancy. No person shall reside in, occupy or cause to be occupied that rental dwelling or unit until a license is obtained or reinstated by the owner.

C. Findings. After the hearing is concluded, the City Council shall make findings on whether to uphold the compliance order or to revoke, suspend, deny or not renew the license or impose an administrative fine. The City Council shall issue a written decision within thirty (30) days following the date of the hearing and shall send a copy of its decision to the owner and resident agent by mail. The decision shall specify the rental dwelling or units to which it applies.

B. Hearing. At the hearing, the City Council shall hear all relevant evidence and arguments and shall review all testimony, documents and other evidence submitted. The owner or resident agent shall have the opportunity to address the City Council at the hearing.

er
er
er