

City of Falcon Heights
Planning Commission Minutes
June 27, 2017

PRESENT: Commissioners Williams, Larkin, Murphy, Stemper, Kotelnicki, Sunderland, Liaison Harris

ABSENT: Commissioners Samatar, Kotelnicki

The meeting was called to order at 7:15 p.m. by Chair Larkin.

The minutes of the May 23th, 2017 meeting of the Planning Commission were tabled for next meeting.

Community forum was moved to the start of the meeting as requested from the Chair.

Community Forum:

Mark Miazga, Chair of the Environmental Commission voiced a letter of support for developing a vacant housing ordinance for the health, safety, and beauty of the environment.

Peg Shearen (1348 California) was concerned about 1354 California as vacant home. She was worried about vacant buildings gas buildup. She would like external gas relief. She is also concerned about noxious weeds and other items. She is overall concerned about the community.

Greg Weyandt (1364 California) is also concerned about the property at 1354 California. He applauded the commission for working on an ordinance. He would like aggressive enforcement. He met with the Mayor and others from the city but has not seen results. He is worried about home values. He wants aggressive enforcement. He wants the city to hire an attorney to go after the home owner.

William Conroy (1358 California) is the next door neighbor of the property at 1354 California. He wants us to enforce section 108.2, 108.3, 108.4, 110.3. He believes these should be able to start the demolition. He thinks it is time for a plan or timeline. He wants some structure and enforcement.

Commissioner Murphy asked if there are ordinance that applied to vacant homes why do we need new ordinances?

Council Liaison Harris did not know and referred to Staff Liaison Moretto.

Staff Liaison Moretto stated that we do not have a vacant home ordinance that provides a rigorous process for identifying vacant homes and how to achieve compliance. The vacant home discussion for the planning commission meeting today is to identify possible ideas and bring that back to staff.

Commissioner Murphy stated that a new ordinance isn't going to change that. The ordinance proposed puts transients and criminals in the same category.

Liaison Moretto stated that this is not the proposed code but an example to model off and change as we see fit. Liaison Moretto references St. Paul's vacant building process which is much more thorough than that of Crystal.

Council Liaison Harris asked if we have abated issues on 1354 California.

Staff Liaison Moretto stated that there is continual abatement.

A speaker from the audience asked if demolition costs would be placed on the property and the financing associated with that processes would be the cost to the city.

Staff Liaison Moretto suggested that could be the case.

Elizabeth Brodeen kuo (1355 Idaho) lives behind 1354 California. She has lived there one year. She has two small kids and does not feel comfortable near that home. Would like a vacant building ordinance. She does not think removal would work. Worried about an empty lot. She would like a well thought out process.

Council Liaison Harris asked if anyone as inspected inside the house.

Staff Liaison Moretto stated no one has entered the house as we have not received an administrative warrant. We would have to have grounds.

Commissioner Sunderland said that this is a problem of a lack of process. If there was a better process then there would be more teeth to the ordinance. The Commission stated that he Fire Marshal has the power to enter the building for a variety of reasons.

Greg Weyandt ask if the city as perused a warrant for her arrest. He wants a stronger ordinance. He want something to happen at 1354 California. He also wants a stronger overall ordinance.

Council Liaison Harris did not know we were going to discussion a particular property and she would like more background on this property.

Peg Shearen stated she knows the background information of the property. She wanted to reiterate the need for a process. She referred to the St. Paul code.

Commissioner Murphy said after 10 years I would not wait for an ordinance. He would demand something be done.

Commissioner Sunderland said there seems to be opportunity to look into detail.

Council Liaison Harris asked about the history of 1354 California.

Staff Liaison Moretto offered to take this subject to Workshop.

Chair Larkin stated that we are starting to get off track. He understand the concerns. He wants to discuss if we should look into an ordinance. He feels like there is a want for a new process. He asked about the item included in the packet.

Staff Liaison Moretto asked to acknowledge that Commissioner Samatar had arrived. (7:45pm)

Staff Liaison Moretto introduced the Vacant Building Ordinance from the City of Crystal.

Commissioner Sunderland said that we don't need to spend time talking about details here. We need a process of escalation. He asked how long and how many times that has been an issue (1354 California).

Peg Shearen stated that she met with the City Administrator and the Mayor a few years ago. They were told not to take care of the property. They have email and called many times. There are many weeds and other items, specifically Canadian Thistle. She called Ramsey County Noxious weed unit. It has been 10 years.

Commissioner Murphy says they need to go City Council.

Chair Larkin asked if Council as addressed it.

Council Liaison Harris said this is a staff issue. It is not something the City Council would do.

Commissioner Sunderland said the missing link is what do you do when the processes is followed and when do you go to the lawyers.

Council Liaison Harris was not prepared to address this issue and we have never taken it this (process) far on any property. This is a staff issue and not a City Council issue.

Commissioner Sunderland stated that we are not prepared and we should be prepared and do some research. Investment properties might be related and we can possibly look at how we address all these issues.

Council Liaison Harris stated that we might have a process.

Peg Shearen said that Sack (Administrator) had been in the area as well as Tim (Public Works Director).

Chair Larkin had asked staff for a recommendation. He sees a couple of options. One is to draft an ordinance. The other is to look at current ordinance and see how this fits.

Staff Liaison Moretto asked if the Commission would like to take this to workshop and requested a motion to do so.

Commissioner Sunderland asked if this would be tonight and requested a different day. He also wanted more working sessions. He also wanted to know how to work on this without quorum.

Council Liaison Harris wanted staff to create the proposal and report back concerning this issue.

Commissioner Sunderland wanted to have a working meeting to discuss this.

Commissioner Williams asked if current ordinance could be replaced.

Staff Liaison Moretto suggested it could be modified and enhanced with a process.

Commissioner Sunderland said we do have ordinance that applies but something is missing. The process is unclear.

Commissioner Samatar said when she was a planner citizens would come in she would go out and check and could go to the lawyer and send a letter. Then the housing inspector would go in and check. She states that the property has been vacant for a long time, 10 years, and that is a health and safety issue. She said that it is better to have a vacant lot than a building where there are issues. Anything could be happening. Has anyone been in there?

Staff Liaison Moretto stated that the building inspector has not entered the building.

Commissioner Samatar said that when she was a planner when a neighbor called we would immediately respond. What would it take to get in there.

Staff Liaison Moretto said that the administrator could order the inspection through an administrative warrant issued by the courts.

Commissioner Samatar said that needs to be done.

Commissioner Sunderland asked staff if currently a file on this property?

Staff Liaison Moretto has a file for various violations and abatements. He said he does not know why other staff members in the past have not gone through the condemnation process.

Commissioner Sunderland would like to request a process, current process, and what are the options.

Council Liaison Harris would like to know the process and what currently exists.

Commissioner Murphy said that it has been 10 years and that is a long time and we need information.

Staff Liaison Moretto stated that we are focusing on a particular property and it is not appropriate in this setting. We are also talking about staff internal process and not ordinance.

Chair Larkin agreed and asked for the commission to ask staff to prepare a summary of existing ordinance and any changes that will help the process.

Commissioner Sunderland asked to add to this to focus on financial cost and how the code is applied.

Council Liaison Harris stated in the past in some cases we have not been able to find the owners of these properties so we can address these issues. This process would be beneficial.

AGENDA

1. Vacant Buildings – See above
2. Comprehensive Planning –
Staff Liaison Moretto stated that we are in the process of updating our comprehensive plan. He has a meeting with the Metropolitan Council in July. We are in talks with a consultant. There is a discussion about the level of change that will be proposed in the next plan. This will all come to the commission. Another question is about meetings and how many.

Commissioner Sunderland state we should have as many as is needed.

Council Liaison Harris said that when she worked on the last one we had workshop and a consultant. She serves on a Met Council committee. We might not need an overhaul.

Staff Liaison Moretto stated we should look to clean up some of the language.

Commissioner Sunderland asked the Chair if he intends to open these meetings to the community.

Chair Larkin ask how much needs to be open to the community, how many meetings.

Staff Liaison Moretto stated that we can have small groups or workshops. We will need to have a hearing and go to Council. It is up to the commission.

Council Liaison Harris said that there are closed door opportunities.

Chair Larkin would like to know the scope of work.

Staff Liaison Moretto will have more information after the Met Council meeting.

INFORMATION AND ANNOUNCEMENTS:

Community Forum: None

ADJOURNMENT: The meeting was adjourned at 8:20p.m.

Respectfully submitted,

Paul Moretto
Community Development Coordinator

John Larkin
Chair – Planning Commission