



## Request for City Council Committee Action from the Department of Regulatory Services

**Date:** November 28, 2007

**To:** Public Safety and Regulatory Services Committee, The Honorable Don Samuels, Chairperson

**Referral to:** No referral

**Subject:** Restoration Agreement for 2223 – 16<sup>th</sup> Ave S, Minneapolis. MN.

**Recommendation:**

That the Director of Inspections enter into a Restoration Agreement with the owner of the property at 2223 – 16<sup>th</sup> Avenue South as per Council Direction on September 21, 2007

**Previous Directives:**

Nuisance Condition Appeal Panel recommendation to demolish – denied by City Council with direction to return to PS & RS with a Restoration Agreement

Prepared or Submitted by Thomas Deegan, Manager of the Problem Properties Unit, 673-3310.

Approved by: \_\_\_\_\_

Rocco Forte, Assistant City Coordinator

\_\_\_\_\_  
Henry Reimer, Director of Inspections

**Presenters in Committee**

Lee Wolf, Attorney  
Thomas Deegan, Manager Problem Properties Unit

**Financial Impact (Check those that apply)**

No financial impact (If checked, go directly to Background/Supporting Information).

Action requires an appropriation increase to the \_\_\_ Capital Budget or \_\_\_ Operating Budget

Action provides increased revenue for appropriation increase

Action requires use of contingency or reserves

Action is within the Business Plan

Action requires a change to the Business Plan

Other financial impact

Request provided to the Finance Department when provided to the Committee Coordinator

**Community Impact**

Neighborhood- No impact.

City Goals – Maintain the physical infrastructure to ensure a safe, healthy and livable city.

Zoning Code – No impact.

Other

**Background and Supporting Information**

The Nuisance Condition Process Review Panel heard the appeal of the Director's Order to demolish this property on May 10, 2007 and then again on August 9, 2007. The property is owned by Mike Smith, 1667 Ross Avenue, St. Paul, MN.

The decision of the Nuisance Condition Process Review Panel was to uphold the director's order and recommend demolition. The Findings of Fact was forwarded to the Public Safety and Regulatory Services Committee on September 12. The PS & RS Committee concurred with the recommendation of the Nuisance Condition Process Review Panel and forwarded a recommendation to demolish to the City Council for final action. On September 21, 2007, Council Member Samuels moved that the report be referred back to the Public Safety and Regulatory Services Committee for a restoration agreement in lieu of demolition.

Staff has met with the owner and begun the process of restoring the property via a Restoration Agreement. The terms of the Restoration Agreement state that the owner must complete all required repairs and bring the property into full code compliance by May 29, 2008. The owner has agreed to post a \$16,500 performance bond to ensure that the property repairs will be done in accordance with the Restoration Agreement or be demolished.