Request for City Council Committee Action
From the City Attorney's Office

Date: October 24, 2011
To: Ways & Means/Budget Committee
Referral to:

Subject: *Resolution of Pending Condemnations at 3019 Colfax Avenue North and 2306 James Avenue North and Assessment Appeal, Steven Meldahl v. City of Minneapolis – District Court File No. 27-cv-10-27003*

Recommendation: That the City Council approve the resolution of these condemnation matters and settlement of the 2010 Assessment Appeal asserted by Mr. Meldahl, by: authorizing the Director of Inspections to cancel assessments and fees at 3019 Colfax Avenue North for $14,380.00; at 2306 James Avenue North for $13,060.00; and at 2500 Humboldt Avenue North for $6,360.00; canceling a Finance Department special assessment for $81.17 at 3019 Colfax Avenue North for utilities; and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Amanda M. Trelstad Phone: 612-673-2429
Sara J. Lathrop

Approved by: Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

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.

___ Business Plan: ____ Action is within the plan. _____ Action requires a change to plan.

_X_ Other financial impact (Explain): Cancellation of $81.17 special assessment from 2010 by the Finance Department and cancellation of vacant building and other inspections-related assessments and fees by the Regulatory Services Department

___ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information

The City issued condemnation orders for two rental properties owned by Steven Meldahl, located at 3019 Colfax Avenue North and 2306 James Avenue North. Mr. Meldahl has also appealed certain special assessments for those properties, among other properties in the above-referenced District Court action. The Department of Regulatory Services staff believes it is in the City's best interests to return the properties to compliance with the housing code and lift the condemnations, so that they can be re-occupied. Mr. Meldahl has agreed to abandon any claims against the City regarding the condemnations, have the properties inspected by a City Housing Inspector, and comply with orders issued. In addition, Mr. Meldahl will enter into a Restoration Agreement for another vacant building at 3210 Upton Avenue North. To resolve both the condemnations and the entire assessment appeal, Regulatory Services will lift the condemnations and cancel certain assessments and fees, pursuant to its authority in City Council Resolution 2010R-278. In addition, the Finance Department will cancel an assessment for $81.17 of utilities at 3019 Colfax Avenue North. In exchange, Mr. Meldahl will pay the remaining assessments that he has challenged (approximately 100 special assessments, totaling over $75,000) and dismiss his appeal.

The Regulatory Services and Finance Department staff supports the resolution. Therefore, staff recommends approval of the settlement of this matter as described above.