

City of West St. Paul  
Public Safety Committee Meeting  
August 8, 2017 at 5:30 p.m.

Police Chief Shaver opened the Public Safety Committee meeting.

Those in attendance include Police Chief Manila Shaver, Councilmembers Anthony Fernandez, Bob Pace, Attorney Korine Land, Community Development Ben Boike and Officers Jesse Mettner and Laura Vaughan.

Councilmember Ed Iago opened the meeting and offered the following general agenda:

- 1) Review Current rental ordinance and consider amendments
- 2) Review Problem property committee and their function
- 3) Review Code enforcement and the use of city services

There was some frustration expressed that the process takes too long to address problem properties. Due process was reviewed along with the “nuisance call”. Vaughan and Jesse Mettner (our housing officer) explained how there is a process in which we can fine an offender, however, as part of due process we need time. If we tell a manager of an incident such as trash outside, they say they will have it taken care of by the end of the week and they do. Even though it allows us to fine an owner in this situation, we have managers and owners approaching an issue in a positive manner; there is value in this process. Some owners take this seriously.

It was asked if the city demands the owners to perform background checks. Attorney Land said you can ask for their procedures, but we do not require them. Chief Shaver cautioned about dictating the content of background investigations, because if tenants sued, the city could be brought into allegations of civil rights and end up in a lawsuit. We could ask a landlord about his specific rental criteria and then we can go back and see if the owner is actually following his own rules.

Clpn. Iago said when we are done with this document we should be able to present this and give the property owner tools for these kinds of issues. Officer Mettner said starting January 1 he started going through a particular process with calls. Every morning he goes through the previous 24 hours and over the weekend. He identifies the nuisance calls for each rental apartment/dwelling and then tries to identify specifics. He tries to keep up with nuisance fee letters that are being sent out. This has had a good impact. It could be good to require a landlord to require a background check as part of the license application.

Clpn. Iago said we might change a few numbers or a few words. Boike added that we could better address interior maintenance issues. The code sets the exterior requirements, but interior is tough because we do not have specific language. We do have the IPMC and it vaguely allows us an interpretation to enhance the internal maintenance requirements.

There is discretion in the fee but she thinks three strikes is good. If the property owner has received notice of all three violations, you can fine them. The two processes of administrative citations and license revocation should be independent. Code enforcement is part of the rental license. Review calls to Thompson and Charlton – this property has the highest call volume. Calls for service – go

after all the calls. Regarding the fees – we need to clarify this and get something in the ordinance to hold authority and code enforcement accountable. Ben reviewed the property review and citing procedures. Terrie is on top of the calls. Clpn. Iago is concerned there is too much paperwork being done; the ordinance allows us to cite then and there. Boike said you have a paper trail.

Clpn. Fernandez said there is not much missing other than the provision to get a background check.

Clpn. Iago reviewed the Rental Ordinance page by page:

- Page 1 - nothing
- Page 2 – nothing
- Page 3
- Page 4a – question regarding inspection language; ben said one to 3 units you need an inspection every 3 years and they need this to renew. They are inspecting safety issues and we raised these standards since we started the program. Only a percentage of the units need to be inspected said Chief Shaver. Attorney Land added we can inspect annually. This section will be reviewed.
- Page 4. I – owner must provide written notice to the tenant but wondered how much notice? Attorney Land commented on the language and we could add “time”.
- Page 5 – nothing
- Page 6 – Statute 34.15 – 34.19 – send a copy to everyone so this can be reviewed.
- Page 7 – public nuisance chapter 94 – Attorney Land said there is a lot to this ordinance. It outlines various property and vehicle nuisances. Attorney Land said this would be interpreted as a 12-month rolling calendar period.
- Tiered system – Maybe in the future we consider our A properties have a longer period of time between inspections. Our C properties are inspected more often. Clpn. Iago would like to see this go before ROMA with the changes. They will see the benefits of being a compliant property. Having the rentals be nice could cost extra dollars and this will go back to the renter and hopefully will attract an associated clientele.
- Page 8 – C.1.a. Attorney Land made comment about standards. Clpn. Iago comments about other codes and chapters – is there anything we need to review again. Attorney Land reviewed the list of qualified calls – why are we not including drugs in the list. Chief Shaver said we should review the list. Domestic calls – Officer Mettner said if a call comes in we recode this as a disturbance call if there is no violence or threat of assault or act. Anytime there is no victim we recode as disturbance and we can count as a nuisance call. Attorney land said a person should not be fearful of getting a fee to call 911 for help. Chief Shaver reminded everyone of a landlord that told his tenants NOT to call 911 or they would be charged.
- STAR Program – Vaughan would like to review this program because we have not really used it as a tool. We should review this and use the program as intended. Attorney Land added comment that the STAR program it’s an award system and it’s basically used for Administrative citations – they are less if you are in the program.
- Page 9 – nothing
- Page 10 – nothing

These items can be reviewed and if there are other comments please email Clpn. Iago. There most likely will have to be additional meetings. f. Next Tuesday at 5:30 p.m. for one hour seemed to work for everyone.

Chief Shaver wonders if we should replace STAR program for an inspection program A – F and if you are a D or F, inside and outside, maybe this makes it easier for staff. We do not want an ordinance that tells people they need to vacuum at a certain time. But putting them on a system it might be the flexibility. Attorney Land suggested we require people to attend training and take other components that we like. Director Boike and Mettner said the dept. is up to date on citations issued to the problem property. Discussion ensued.

The meeting adjourned at 6:50 p.m.

Chantal Doriott  
City Clerk