

**CITY OF MARSHALL
AGENDA ITEM REPORT**

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| Meeting Date: | Tuesday, August 10, 2021 |
| Category: | NEW BUSINESS |
| Type: | ACTION |
| Subject: | Consider the Resolution ordering the abatement of several hazardous buildings located in the Broadmoor Valley Mobile Home Park in the city of Marshall, Minnesota |
| Background Information: | <p>Council and Staff have long been aware of the deteriorating residential conditions of properties located within the Broadmoor Valley mobile home park. Several residents presented information to Council at the July 13, 2021 Council Meeting. The presentation included photographs of hazardous/substandard buildings presently located at Broadmoor Vally. Subsequent to that meeting, building officials have viewed the properties to confirm present condition of the deteriorating condition of properties.</p> <p>Based upon statements and photographs provided, and based upon prior building official inspections, a current list has been put together regarding several current problematic residences within the mobile home park. A consolidated list of 17 structures requiring either demolition or repair has been put together to address an immediate need for action, City Attorney is recommending that City Council pass a resolution requiring the immediate demolition and removal of four identified uninhabitable properties presently located at the Broadmoor Valley mobile home park. A building inspection from Building Official, Ilya Gutman from Thursday, August 5, 2021 confirmed that the four properties identified in the resolution need to be razed and removed immediately. Attached is a proposed resolution authorizing City Attorney to take the necessary steps to serve the abatement order. Minnesota Law provides the property owner 30 days to accomplish the abatement as ordered. If the abatement does not occur as ordered, this matter will proceed through the Lyon County District Court for enforcement.</p> <p>City Attorney, with consultation from Attorney Jason Hill of Kennedy & Graven is proposing to proceed to obtain an administrative search warrant authorizing access to the remaining properties on the consolidated list of 17 properties as put together. It is anticipated that building official will obtain permission to inspect the properties for compliance with either the Minnesota Housing or Building Code. Deficiencies will be identified, and it is anticipated that a subsequent abatement order will be prepared for Council either addressing additional removal or repair of properties.</p> <p>Minnesota Law does allow for enforcement through court action. If the owner does not abate the hazardous or substandard buildings, City can apply for court order authorizing the City to abate the problem and abate the costs back to the property owner.</p> |
| Fiscal Impact: | N/A |
| Alternative/ Variations: | No alternative action recommended. |
| Recommendations: | To adopt Resolution Number 21-058, a Resolution ordering the abatement of several hazardous buildings located in the Broadmoor Valley Mobile Home Park in the city of Marshall, Minnesota and authorize staff to insert legal descriptions. |