

# REPORT / RECOMMENDATION



**To:** Mayor & Council Members

**Agenda Item #:** IX. A.

**From:** Debra Mangen  
City Clerk

**Action**

**Discussion**

**Date:** December 4, 2012

**Information**

**Subject:** CORRESPONDENCE RECEIVED AFTER PACKETS

**Action Requested:**

Attached is correspondence received after your packets were delivered.

No action is requested.

Susan Howl

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Monday, December 03, 2012 9:01 AM  
**To:** Scott Neal  
**Cc:** Susan Howl  
**Subject:** FW: Rental Property Registration Program for Edina, MN  
**Attachments:** Rental\_Property\_Registration\_Program.doc

Good morning,

This message has been forwarded to Mayor Hovland and Scott Neal.



**Lynette Biunno, Receptionist**

952-927-8861 | Fax 952-826-0389  
[lbiunno@EdinaMN.gov](mailto:lbiunno@EdinaMN.gov) | [www.EdinaMN.gov](http://www.EdinaMN.gov)

...For Living, Learning, Raising Families & Doing Business

**From:** [kagere@aol.com](mailto:kagere@aol.com) [<mailto:kagere@aol.com>]  
**Sent:** Saturday, December 01, 2012 4:02 PM  
**To:** [lisa.kaczke@ecm-inc.com](mailto:lisa.kaczke@ecm-inc.com); [MartySheerer@EdinaMN.gov](mailto:MartySheerer@EdinaMN.gov); Edina Mail; [rknutson@ck-law.com](mailto:rknutson@ck-law.com);  
[jonibennett12@comcast.net](mailto:jonibennett12@comcast.net); Mary Brindle; [joshsprague@edinarealty.com](mailto:joshsprague@edinarealty.com); [swensonann1@gmail.com](mailto:swensonann1@gmail.com)  
**Subject:** Rental Property Registration Program for Edina, MN

TO: Lisa Kaczke, Edina Sun Newspaper, Scott Neal, Edina City Manager, Marty Sheerer, Edina Fire Chief, Roger Knutson Edina City Attorney, James B. Hovland, Edina Mayor, Joni Bennet, Edina City Council, Mary Brindle, Edina City Council, Josh Sprague, Edina City Council, Ann Swenson, Edina City Council

Subject: Management of rental housing in the city of Edina.

Gentlemen and Ladies;

Please read my attached response to the article that appeared in the Edina Sun Newspaper concerning presumed problems with the Cities management of rental housing located within the Cities area of responsibility. It is my personal view that while the issue does present problems for the City and the various individuals living in the City, the proposed options are neither effective or efficient in resolving the issues presented in the article. New programs which do not improve conditions but do increase costs and management problems for both the City, owners, and residents are not an effort that should be attempted in this time of fiscal shortfalls. New regulations need sound planning and financial efficiency to make a better future for all of the residents of the city.

Thank you for your kind consideration.

Kenneth A Gere,

a long time resident of Edina and a long time landlord of rental properties, both low income housing as well as high income housing.

## Rental Property Registration Program For Edina, MN

Of the three options presented by Fire Chief Marty Sheerer concerning the control of rental housing units in the city of Edina only one is a reasonable solution to a low cost means of management; that of the current status quo. Neither a licensing system nor a registration system create an operational plan that improves or maintains the current housing stock, nor reduces problems with bad rental building owners or bad rental tenants. The suggested solutions only increase potential legal risks for the City as well as the owners of the properties in attempting to meet expectations of the community and the neighbors of the rental building.

The stated problem of some 200 complaints a year that involve rental housing units would not be reduced by either a registration system or a licensing system. While the registration system might speed the awareness of the City as to who should be responsible for the operation and maintenance of the property this information is readily available to the City now through the property tax registrations as well as to the various City departments that might have a need for this information.

A licensing system would create a legal responsibility for the City of Edina that costs much more than any perceived potential gain that might be achieved by creating such a system. The promise that the City would enjoy reduced complaints and improved quality of operations with a licensing system is a false promise. Such a program would cost the City in increased legal costs in both enforcing the program and the costs of creating a legally acceptable licensing system that meets the goals and needs of the City, the owners, and the tenants who occupy the various properties.

Both Minneapolis and Saint Paul are well aware of the costs of defending the City against the city's enforcement of any new code. Is the City of Edina smarter or more financially prepared to fund the defense of such a new program?

While the City has legal representation and the tenants have Legal Aid to represent them, the owners would be pressed to spend untold amounts of personal funds to defend themselves under any claim created by the City concerning any complaint against the property regardless of whether the owner has any responsibility concerning said complaint. The costs of such a system would put many properties at risk of total financial failure and total loss of viability of the property to the City, the owner, or the occupants. Everyone loses.

Take a serious look at the complaints and the “real” problems which the new programs are being considered to address; load noise, poor property maintenance, illegal behavior, too many people living at the property, “hoarding” by the occupants of the property, not being in the Edina school district(?). Can anyone define a single problem that is not being addressed via current City regulations and State and Federal laws concerning rental real-estate ownership and the various legal responsibilities of operation. I am not sure that peeling paint is ever going to become a class 1 violation of any building code in any community anytime soon.

Concern for the adjacent residents and for the people renting the properties are not necessarily the responsibility of the owner of the property. Take a second look at the above listed complaints; poor property maintenance is certainly a problem that should be of major concern to the owner as well as the neighbors; but the relationships of the various occupants of the housing next to or near by the rental units is properly handled by those parties involved. Should a law be violated the problem extends to the City of Edina’s legal obligation to demand compliance with City, State, and Federal laws which are already on the books and need only to be applied to the violations as they occur.

As an owner and operator of rental housing for over 30 years I can assure you that owners are as concerned about proper maintenance of the building and the quiet enjoyment of the property by the occupants and concern for the personal needs of neighbors within the property or next door. We have always strived to be a good member of the community we are operating in and cooperative with the neighbors in maintaining a peaceful residence for all in the neighborhood. I have found that the building codes and the local laws and regulations are sufficient to maintain the proper balance between owners, occupants, and the neighbors without additional laws that create unknown legal risks for the community and the individuals involved in the complaint under discussion at the moment.

Thank you for listening.

Kenneth A. Gere  
Edina resident and rental property owner

Susan Howl

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Tuesday, December 04, 2012 1:50 PM  
**Cc:** Susan Howl  
**Subject:** FW: Agenda 21

Lynette Biunno, Receptionist  
952-927-8861 | Fax 952-826-0389  
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...For Living, Learning, Raising Families & Doing Business -----Original Message-----

**From:** brian Aslesen [<mailto:bahse@aol.com>]  
**Sent:** Tuesday, December 04, 2012 1:49 PM  
**To:** Edina Mail  
**Subject:** Agenda 21

Dear Mayor Hovland,

Would you please address the issue of Agenda 21 infiltrating the City of Edina. It is of great concern of mine that we have someone like Mr. Neal who is a member of ICMA sitting in an influential position in our city. The general population usually is not aware of the evils of Agenda 21 until AFTER they have control.

Sincerely,

Sara A.

Susan Howl

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From: Lynette Biunno on behalf of Edina Mail  
Sent: Tuesday, December 04, 2012 2:10 PM  
Cc: Susan Howl  
Subject: FW: Attention: 12/4 City Council Meeting

Lynette Biunno, Receptionist  
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...For Living, Learning, Raising Families & Doing Business -----Original Message-----

From: Ted Volk [<mailto:volk239@gmail.com>]  
Sent: Tuesday, December 04, 2012 1:55 PM  
To: Edina Mail  
Subject: Attention: 12/4 City Council Meeting

Dear Council Members,

I received a Notice of Public Hearing on roadway improvement, set for 12/11. It coincides with is a previously scheduled Hopkins Schools Budget Meeting that is also also tax-related. Mendelssohn A is the only neighborhood invited to the Public Hearing that belongs to Hopkins Schools District. Usually, the County takes care not to create a scheduling conflict between tax-related annual meetings. Please consider moving Public Hearing on roadway improvement No. BA-393 to a different date.

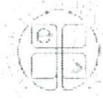
Also, please have the area description proposed for assessment in the Notice reconciled with the Feasibility Study project map. Currently, the Notice states "301 to 501 Blake Rd. So." but the map shows that just 5 of 22 properties with the addresses within this bracket are subject to assessment. Following the Notice's version, estimated cost per assessable lot would be \$3,041 lower (per residential equivalent unit) than the one given in the Notice.

Thank you,  
Ted Volk  
6301 Belmore Lane

Susan Howl

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**From:** Lynette Biunno on behalf of Edina Mail  
**Sent:** Thursday, November 29, 2012 1:48 PM  
**Cc:** Susan Howl  
**Subject:** FW: Wind Energy - Environment Minnesota  
**Attachments:** 3signed letter.doc



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...For Living, Learning, Raising Families & Doing Business

**From:** Maria A. Herd [<mailto:mherd01@hamlineuniversity.edu>]  
**Sent:** Thursday, November 29, 2012 1:44 PM  
**To:** Edina Mail  
**Subject:** Wind Energy - Environment Minnesota

Mayor Hovland,

I'm emailing now to ask you to join other local leaders from across Minnesota who are calling on Congress to renew critical clean energy tax credits.

As you already know, clean energy is an important part of what's powering Minnesota, providing pollution-free energy and thousands of jobs. Minnesota currently gets nearly 13 percent of its electricity from wind power, a growing industry that employs over 2,000 people across the state.

Minnesota has become a leader on clean energy because of our state renewable energy standard and a set of federal incentives that support wind power. And there's more progress to be made. Minnesota's wind resource could provide nearly 25 times the electricity our state currently uses, according to the National Renewable Energy Lab.

Unfortunately, critical clean energy tax credits called the Production Tax Credit (PTC) and the Investment Tax Credit (ITC) will expire at the end of this year unless Congress acts.

Environment Minnesota is calling on Congress to extend these critical incentives for clean energy. I'm asking you to join us and other local leaders in standing up for clean energy. As an influential leader in our state, your support would go a long way. You can support this effort by adding your name to our letter urging Congress to extend the PTC and the ITC. (Please see the attached letter).

Thank you for supporting clean energy. Please respond to this e-mail or give me a call if you would like to add your name to the list of signers. Let me know if you have any questions, would like additional information, or if there's any other assistance I can provide. You can reach me at 707-208-5091 and [mherd01@hamlineuniversity.edu](mailto:mherd01@hamlineuniversity.edu).

Sincerely,  
Maria Herd  
Outreach Coordinator & Intern  
Environment Minnesota  
Hamline University student

Dear Member of Congress,

The undersigned state elected officials, leaders, and organizations, on behalf of our members and activists in Minnesota urge you to support extending the renewable energy production tax credit (PTC) and the offshore wind investment tax credit (ITC) as soon as possible to reduce our dependence on coal and oil and create a cleaner future for Minnesotans. Clean energy, including wind power, is a growing part of our state's energy mix – creating pollution-free energy and local jobs. These tax credits, which are due to expire at the end of the year, must not be held hostage by Congressional gridlock.

Currently, Minnesota gets nearly 13 percent of its electricity from wind power, a growing industry that employs 2,000 to 3,000 people across the state. With our state renewable energy standard and federal incentives, we have been able to attract wind energy manufacturing and create new jobs. In 2011, we were fourth in the country for the percentage of our electricity that comes from wind.

With states like Minnesota leading the way, wind power is a true American success story. Wind now powers nearly 13 million homes nationwide, including 770,000 in Minnesota. We have doubled wind capacity in the United States in just the past four years, and that means we are avoiding as much carbon pollution as taking 14 million cars off the road and saving 30 billion gallons of water each year.

And there's more progress to be made. Minnesota's wind resource could provide nearly 25 times the electricity our state currently uses, according to the National Renewable Energy Lab. Continued federal support for clean energy will allow us to tap into the true potential to repower Minnesota's economy with clean energy. This will mean more jobs across the state in manufacturing, and a future with cleaner air, cleaner water, and better energy security.

Wind is on its way to being cost-competitive with traditional energy sources; the price of wind has dropped 90 percent since 1980. And the jobs are staying here. Nearly 70 percent of a wind turbine's value is now produced in the United States, up from 25 percent in 2005.

In addition, we are on the cusp of seeing the first offshore wind farms off our coasts. Along the Atlantic coast alone, reaching the Department of Energy's (DOE) goal of 54 gigawatts of offshore wind power would reduce carbon pollution by the equivalent of taking roughly 18 million cars off the road. Meeting this benchmark would also generate \$200 billion in new economic activity while creating more than 43,000 permanent, high-paying jobs in manufacturing, construction, engineering, operations, and maintenance, according to the National Renewable Energy Laboratory.

Extending the PTC and ITC are critical for the continued growth and success of wind power in America and in Minnesota; if these policies are allowed to expire at the end of this year, we could lose an estimated 37,000 American wind jobs and hard-won momentum on clean energy. Wind power is growing local economies, adding jobs, and creating a cleaner future for Minnesotans – and we should invest in its success.

Please work to extend the PTC and the offshore wind ITC as soon as possible to ensure a cleaner, healthier future for Minnesotans.

Sincerely,

Mayor Don Ness  
Duluth

Councilor Jake Spano  
St. Louis Park

Councilor Amy Brendmoen  
St. Paul

Councilor Kathy Lantry  
St. Paul

Councilor Christ Tolbert  
St. Paul

Councilor Dan Bostrom  
St. Paul

Councilor David Thune  
St. Paul

Councilor Melvin Carter  
St. Paul

Councilor Russ Stark  
St. Paul

Councilor Ellen Kehr  
Albert Lea

Commissioner Gail Dorfman  
Hennepin County

Representative Melissa Hortman  
District 47b

Commissioner Steve O'Neil  
St. Louis County

Commissioner Steve Raukar  
St. Louis County

Commissioner Frank Jewell  
St. Louis County

Councilor Charlie Hurd  
Mankato

Councilor Jim Thompson  
Bemidji

Representative Kate Knuth  
District 50b

Councilor Sonja Berg  
St. Cloud

Representative Mindy Greiling  
District 54a

Mayor Tim Hultmann  
Long Lake