

**ADMINISTRATIVE VIOLATION REVIEW BOARD
MEETING MINUTES**

April 2, 2019 – 1:00pm
City Hall, Fourth Floor Conference Room

	<u>Name</u>	<u>Attendance</u> (mtgs attended-mtgs absent)	<u>Term of Office</u>
MEMBERS PRESENT:	Pat Benedict	(48-6)	4/29/22
	Michael Comella	(45-1)	5/27/19
	Don Daffron	(03-0)	4/29/21
	Becci Goodwin	(40-3)	4/29/23
	Michael Grimm	(51-3)	4/29/20
MEMBERS ABSENT:	None		
OTHERS PRESENT:	Jim Haake, Chief Building Official Juston Carr, Property Maintenance Manager Aaron Adrian, Dangerous Building Inspector Carol Flury, Recording Secretary		

2019 MAY -8 AM 11:21

ROLL CALL – Five (5) members were in attendance; quorum present. Grimm - present, Pat Benedict - present, Comella - present, Daffron – present, Goodwin - present.

Grimm called the meeting to order.

APPROVAL OF MINUTES

Grimm moved to approve the minutes of March 26, 2019, Comella made the motion as written; second by Benedict. **VOTE: 5 Ayes, 0 Nays. MOTION PASSES.**

NEW BUSINESS

- A. CASE NUMBER AP19-25087** – A request for review by Robert Ferrell, 1019 Charles Street, for Violation of Section 304.2 – protective treatment, such as paint, to all exposed; Section 304.5 – repair or replace any missing or damaged bricks/mortar; Section 304.6 – repair or replace all deteriorated or missing fascia and soffits; Section 304.7 - repair any damaged, deteriorated, or missing section of roof, replace any missing shingles, ensure that gutters and downspouts are free from obstruction and are bound tightly to the structure and properly drain water away from the structure.

Robert Ferrell was not present for the appeal hearing.

Adrian presented his case. He drew everyone’s attention to the last four pages that were recent pictures of the property and the notice of violation which was dated August 29, 2018. He believes that roughly two weeks after he sent the notice out, he got a phone call from Mr. Ferrell asking for an extension on for his property. He stated that his tenant was going to be working on the property and Adrian emphasized the importance of getting the tarp off the back garage. He said that he would get right on it but Adrian saw no

progress at all. The front of the house has been painted; that was about the only thing that had happened since August 29 when he sent the notice out.

Mr. Ferrell came to the office making the argument that a tarp on an accessory structure was perfectly acceptable and there was nothing wrong with it. Daffron asked if that was in August. Adrian stated no, the conversation about the tarp happened around mid-February.

Grimm asked Adrian if Mr. Ferrell's only argument was just about the tarp. Adrian responded, yes.

Grimm asked Adrian when the first time he had talked to Mr. Ferrell and Adrian replied the end of September sometime. Grimm asked if owner was an out-of-state and Adrian said yes, Baldwin City, KS. Mr. Ferrell is their point of contact or manager as well as part owner.

Grimm asked if there were any questions.

Benedict asked how long Mr. Ferrell has owned the property. Adrian stated that just off the top of his head, he said about ten years or around 2012. Benedict said that it looked like the only thing they have done is to paint the front. Benedict asked if he has had any other violations and if this is the first violation on this. They had put up a new tarp at one time and he had hoped they would work on it. He will look up and see when they purchased the building Benedict asked if we have a code that if a person purchases a building, they must have a plan? Adrian said only if there is a notice on the structure. If we have a notice out and the owner decides to sell the structure, the owner must notify the next owner that there is an existing building case so the next owner knows that he will need to make repairs if he purchases the building. Benedict asked if the case must start all over again and Adrian affirmed. He said the new owners would have a shorter time frame since they bought the house knowing they had to make repairs. Adrian would give them three months instead of six months.

Adrian looked up when they bought it and it was 2007, so it has been twelve years. Adrian did some background on this and he found out that the tenant who was expected to do the repairs was Dave Trammel.

Adrian pointed out where the loose bricks were on the house.

No further discussion. Grimm called for the vote.

A motion was made by Grimm to affirm the citation AP19-25087. **VOTE:** Daffron – aye, Grimm – aye, Comella – aye, Benedict – aye, Goodwin – nay. Ayes - 4, Nays - 1. **MOTION PASSED**

Grimm called the meeting adjourned at 1:12pm.

Minutes respectfully submitted by Carol Flury, Recording Secretary.