

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
APRIL 12, 1999, 8:00 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by Council President, Ted Hammon at 8:00 P.M.

MEMBERS PRESENT: Centilli, Cox, Hammon, Martinbianco, Walls and Zelenko.

MEMBERS ABSENT: Cross.

OTHERS PRESENT: J. Major, DPW Director; Randy Stewart, Building Inspector and G. Webster,
City Clerk.

THE PRESIDENT READ THE PURPOSE OF THE HEARING:

THIS IS THE TIME FIXED FOR HEARING AND CONSIDERING ANY COMMENTS TO THE
DEMOLITION UNDER CONSIDERATION, TO-WIT: 2259 Maple

PRESENTATION:

Mr. Stewart, Building Inspector, reported that this house was tagged a year ago. The City has mowed the property for the last couple of years. Some work had been done on the interior. A title search reflected there was an agreement for work to be done on the house and sold, with the proceeds to be split. Apparently, this did not happen and there is a lien on the property. The taxes have been unpaid since 1995. The exterior is in better shape than the inside. The property could be repaired, however, the owner did not indicate his intentions.

AUDIENCE PARTICIPATION:

Barb LaRose, 2251 E. Maple, has lived next to this property for five years and no one has lived in the home. She was told that no one has lived there for at least seven years. Rodents and birds live on the property, windows are broken out of the house, the back porch is falling off and it is becoming an eyesore. The City is mowing the lawn and neighbors are trying to keep the front yard mowed.

James Shenk, 1359 N. Belsay Rd., owner of the property, said someone is interested in purchasing the house. He did not receive notification on the demolition. He later found out that the property was on the demo list. He was told the house has been tagged several times. However, he said there was no notice posted on the house until April 7th. He recently paid some taxes, but is still two years behind. He thought someone had been mowing the yard. He only received one \$80.00 bill from the City. He has hired a new property manager to oversee the house. He plans on doing electrical work, plumbing, siding repair and painting. The yard will be mowed on a regular basis. He said the gas and electric has been maintained and no windows are out in the house. The awning has fallen off the back of the house. He understands that the neighbors are upset with the property and he plans to rectify the situation within 120 days. If can not bring it up to code within that time frame, then demolition can be reconsidered.

COUNCIL DISCUSSION:

Mr. Cox asked how long Mr. Shenk owned the property. In addition, he wanted to know if the property could be reconditioned.

Mr. Shenk has owned the property for 12 years.

Mr. Stewart felt the property could be rehabbed if enough money was put into the work.

Mr. Cox had some concerns with allowing 120 days for the owner to make the repairs.

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Mr. Shenk said it would be completed in 120 days.

Mr. Martinbianco asked about the legal responsibilities if the house was sold within the 120 days.

Mr. Stewart said the agreement would be null and void with another owner. If there is an intent to sell the property, the DPW should be contacted prior to the sale.

Mr. Centilli asked what would happen if the work was not completed within 120 days.

Mr. Stewart could give Council a progress report on this property. If the work was not completed, the resolution could be rescinded and demolition would continue.

Mrs. Walls said this property should be cleaned up and completed in 120 days.

Mr. Stewart said a performance bond covering the cost of the demolition could be requested. If the work is not completed, the demolition could begin on 121st day.

Mr. Martinbianco suggested an amendment be included as a condition to Item #2. The property should be added to the balance of the demolition package.

Mr. Cox suggested the home owner meet a schedule for some of the work to begin.

Mr. Stewart said a thirty day check will be included with the building permit when it is issued.

COUNCIL DISCUSSION ACTION:

Martinbianco moved and Centilli seconded the following amendment to Item #2:

This property is required to meet the 120 day time requirement for repairs or immediate demolition will proceed.

Motion carried 6-0.

COUNCIL ACTION:

Walls moved and Centilli seconded the following motion:

RESOLUTION: APPROVE AND AUTHORIZE the Standard Resolution for Step V of the Burton City Demolition Procedure, determining said premises to be a public nuisance or hazard and to further require the owner(s) or occupant(s) to:

- 2.* Alter by repair the structure to Burton City Code with a Building Permit within 120 days, or immediate demolition will proceed.

Motion carried 6-0.

PRESIDENT DECLARES THE HEARING CLOSED:

MEETING ADJOURNED AT 8:20 P.M.

- * The Department of Public Works is hereby given the authority to demolish the structure(s) upon failure to comply with the Building Permit or Demolition Permit.