

**BOARD OF BUILDING APPEALS MINUTES  
MEETING DATE: OCTOBER 21, 2021**

CITY OF PERU STAFF PRESENT:  
RON DAUSCH, BUILDING COMMISSIONER  
DUSTIN KERN, CITY ATTORNEY  
BRENDA DOUGLASS, ADMINISTRATIVE ASSISTANT TO THE BUILDING DEPARTMENT

**CALL TO ORDER: 2:05PM, AUGUST 5, 2021**

BOARD PRESENT:  
JEFF GUNNING, DEREK SHARP, GEORGE MIZE

BOARD PRESENT VIA ZOOM: DEEDEE RICHARDA

BOARD ABSENT: JACK STODGELL

**MINUTES FROM PREVIOUS MEETING.** Moved to waive reading and accept the minutes. DS, GM

**OLD BUSINESS:**

**352 VAN BUREN (house): KARY KINTNER OR CHRIS TYLER**

Chris Tyler present.

Ron Dausch reminded the board that this case has been going on since 2014. In January, a Civil Penalty was assessed if work was not complete in six months. Several phone conversations had taken place. SOR just received today. It appears that possibly the roof, several other items to be done by August & October. Beachy Construction indicated that October/November-ish or early winter.

Owner: Recovered from back surgery. Contractors would not respond. Graber Construction recommended Beachy. Dormer to be done in September and support porch roof. Will do concrete, steps, etc. Owner has a signed contract.

Board discussed an extension. Ron Dausch agreed that our goal is to have the repairs done. \$3000 Civil Penalty has been put on that is in effect. Ron Dausch suggested an administrative relief to remove the civil penalty if significant progress has been made.

**MOTION TO TABLE UNTIL OCTOBER MEETING: DS, SECOND: GM, ALL APPROVED**

**168 N LAFAYETTE (house): Thomas McKinney**

No one present.

Ron Dausch discussed that zero progress has been made. Lots of suggestions from the owner about what he wants to do. No one is living in the house. Ron Dausch has not personally been inside the house so is not comfortable asking for a demolition order at this point but is requesting issuance of a civil penalty. USDA was contacted to help the owner apply. No application has been made for assistance for the home owner. According to Brenda Douglass, when contact is made with the home owner, one month, the owner will indicate he is going to sign it over, the next month is that he is going to work on it and get it done. Code Enforcement indicated that they have had to mow the property several times. A civil penalty was assessed in the amount of \$2500 in January for the SOR to be in place. DeeDee Richards would like interior access to be made to assess the interior (health concerns, etc.). Contact will be made with the home owner to access. If attempts to reach the owner are unsuccessful, Ron Dausch will be able to make entry to access.

Board discussed an additional civil penalty being assessed.

**MOTION TO ASSESS \$2500 CIVIL PENALTY: DS, SECOND: JG, ALL APPROVED.**

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**694 RUSHBURN GREEN: EMERY MHP PARTNER, LLC**

Melody Barrows present.

Ron mentioned that Melody Barrows has made great progress with the mobile home parks. Ron indicated that Melody had asked for extra time. The SOR has been received indicating demolition. Ron asked to hold over to the October meeting to close.

**MOTION MADE TO TABLE TO OCTOBER MEETING: DS, SECOND: GM, ALL APPROVED.**

**690 RUSHBURN GREEN (trailer): EMERY MHP PARTNER, LLC**

Melody Barrows present.

Ron mentioned that Melody Barrows has made great progress with the mobile home parks. Ron indicated that Melody had asked for extra time. The SOR has been received indicating demolition. Ron asked to hold over to the October meeting to close.

**MOTION MADE TO TABLE TO OCTOBER MEETING: DS, SECOND: GM, ALL APPROVED.**

**394 WASHINGTON (house & garage): Steven & Susan Siblisk or Zack Siblisk:**

No one present.

Ron Dausch indicated that all work has been completed and asked that the case be closed with one caveat, that the owner will be replacing the door to the upper area of the garage.

**MOTION MADE TO CLOSE: DS, SECOND: JG, ALL APPROVED.**

**364 E MAIN (HOUSE & GARAGE): GERALD WALLACE**

No one present.

Ron Dausch indicated that we have an SOR in place that everything was to be completed June 30<sup>th</sup>. As of today, the most that I can say is done is that they put a handrail by the back steps out of straight up 2x lumber. Doesn't even appear to be treated. We have had no progress and we have been getting more and more complaints. There seems to be more critters getting in. Ron has seen them coming and going. No one is living there, but there has been concern that someone has been squatting in the house in the evening. One civil penalty of \$5000 was issued in January 2021. Ron reminded the Board that the owner lives out of town, and that Ron Droscha, who has passed away, was in charge of it and then his son, Scott, took it over. An extension was granted to get the tenants out, but it has been vacant for at least two months and there is no real progress at all. Recommending another civil penalty.

**MOTION MADE TO ASSESS \$2500 CIVIL PENALTY: DS, SECOND: JG, ALL APPROVED.**

**MOTION MADE TO DEMOLISH: DS , SECOND: GM, ALL APPROVED.**

**260 N DUKE (Office/white building)**

Melody Barrows present.

Ron Dausch indicated all is completed on this property and requests that the Board close the case.

**MOTION TO CLOSE: GM, SECOND: DS, ALL APPROVED.**

**261 N WALNUT (HOUSE):**

Melody Barrows present.

Ron Dausch indicated the demolition is complete and the neighbors are happy. There were concerns about bugs and the Barrows went above and beyond in spraying for the neighbors. Seeded & strawed. Request this be closed as well.

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**MOTION TO CLOSE: DS, SECOND: GM, ALL APPROVED.**

**1064 W 6<sup>TH</sup> (ALL): MARGARET & BEATRICE DURHAM**

Candy Strude, daughter of owner is present.

Ron Dausch asked if we had any contact prior to the meeting. Brenda Douglass indicated that a call had come in a few weeks ago from Candy indicating that Margaret had passed, Beatrice was in the hospital but that they had taken care of the trash on the front porch and mowing the yard. As of July 30<sup>th</sup>, the porch is still covered, and an unplated vehicle in the grass, the new pictures are at the bottom.

Ron Dausch said there is no SOR in place.

Candy indicated she would be painting it next month, the seals, but she doesn't have a carpenter. Candy indicated that the roof is fine.

Ron Dausch recommended that we table to the next meeting for the SOR to be in place and for Candy to work with us to get a plan together and hopefully get this done.

Candy indicated that her mom owns both houses (1064 & 1066) and that she is in a nursing home.

DeeDee Richards suggested that an interior inspection be done. Brenda Douglass clarified that no one lives in the house and that it is used for the dogs. Ron Dausch agreed to do an interior inspection. Candy Strude said that you guys are not allowed in the house because of my dogs. The old dog is very nervous.

Ron Dausch said that we would reach out to her to set something up.

**MOTION TO TABLE TO OCTOBER MEETING, HAVE AN SOR IN PLACE: DS, SECOND: JG, ALL APPROVED**

**205 E 3<sup>RD</sup> (HOUSE): JESSE L & DAWN M SONS**

No one present.

Ron Dausch said everything has been completed and other improvements have been made and everything is looking nice. Request closing.

**MOTION TO CLOSE: DS, SECOND: JG, ALL APPROVED.**

**2078 S SYCAMORE (ALL): ALVIN E JR, PAMELA SUE BERRY OR WEB LLC**

Wayne Brumbaugh present.

Ron Dausch introduced Wayne Brumbaugh as the new owner. Mentioned that a Civil Penalty had been issued in the June meeting and that was before Mr. Brumbaugh took possession of it. Requesting the Board rescind the civil penalty. Great strides have been made on the house. The inside looks really good. This had been fire damaged. Property is cleaned up, garage is cleaned out, new windows are in, siding had been started. Request rescinding the civil penalty and just update the Board on progress.

**MOTION TO RESCIND THE \$5000 CIVIL PENALTY and TABLE TO OCTOBER: DS, SECOND: GM, ALL APPROVED**

**66 N FREMONT (HOUSE): JASON EASTMAN**

Neighbors to this property were present. Wanted to know if inside inspections have been done. Ron indicated that he had been in when it was packed full (of trash). Neighbor wanted to ensure that the Board was aware of the black mold and maggots they found and bugs they found. An extension was given for the SOR to be submitted. One extension had already been given and now they (the owners) would like another extension until 8/15/2021 to get the SOR in place. Ron Dausch indicated the tenant is

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out, the place has been cleaned out but it was bad. Ron Dausch will go back in to ensure that everything that needs to be done is on the list (SOR). The neighbor clarified that if the owner gets the quotes, Ron Dausch will go in and see to make sure the mold and everything..... That the structure is safe. Ron Dausch clarified that everything listed on the SOR would need to be inspected.

Brenda Douglass indicated that the photos being shown were after the clean out. The lady that was hired used 4 dumpsters to clear out the home. Greer Electrical gave an electrical estimate, Schleppenbach for the roof. Ross Contracting and Troy Pavey have been in with bids.

DeeDee Richards is acting as property manager. She indicated that when all the bids come in, the owner may choose to have the contractor complete the SOR.

The neighbor asked about back taxes. He was directed to the Courthouse to inquire.

Derek Sharp asked for clarification on the reason the SOR was not submitted. Ron Dausch indicated that there had been some delay in getting the tenant out, but it took a lot longer to clean. The reason for the request for extension is to get the contractors in. Ron indicated the owner has been proactive on getting contractors in.

Ron Dausch suggested giving an extension for the SOR and then bringing back to the Board in October.

DeeDee Richards informed the Board she has to sustain from voting because she is the property manager. She guaranteed the Board all I's are being dotted and t's are being crossed on this. She will not let the Board down.

**MOTION TO TABLE TO OCTOBER & A \$2500 CIVIL PENALTY CONTINGENT ON THE SOR BEING IN PLACE BY AUGUST 15, 2021: DS, SECOND: JG, ALL APPROVED**

**158 MADISON (HOUSE): DAVID & TAMMY SHANK**

No one present.

Ron Dausch explained that there has been no contact and no progress. A \$2500 Civil Penalty was assessed in the June meeting if the SOR was not in place. Code Enforcement indicated that the crew has mowed it all summer and cleaned the yard.

Owner was present at last meeting as well as family. SOR was never submitted. Suggest additional civil penalty.

**MOTION TO ASSESS A \$2500 CIVIL PENALTY: DS, SECOND: GM, ALL APPROVED.**

**117 W 2<sup>ND</sup> (HOUSE): CAROL JOSEPH**

No one present.

Ron Dausch indicated no contact and no progress on this property. \$5000 civil penalty assessed in June. Still no contact. Owned locally. City has been mowing this too. Certified mailings come back.

**MOTION TO TABLE TO ASSESS A \$2500 CIVIL PENALTY: DS, SECOND: JG, ALL APPROVED.**

**557 MADISON (HOUSE): BRUCE BRINDLE OR CASSANDRA & REX BETZNER**

No one present.

Ron Dausch indicated that the renovations have been completed. House has sold.

**MOTION TO CLOSE: GM, SECOND JG, ALL APPROVED.**

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**NEW BUSINESS:**

**9 BOULEVARD (HOUSE & GARAGE)**

No one present.

Ron Dausch indicated that we have been in contact with the owner. Wood replaced. Tyvek on. Siding is to be done before end of September. Suggest tabling to October and hopefully be able to close this one.

**MOTION TO TABLE TO OCTOBER: DS, SECOND: GM, ALL APPROVE**

**618 MONROE (HOUSE): DONALD & DOLLY SPENCER**

Dave Heckathorn (neighbor) present.

Dave is trying to get the property line back so he can fence the property. Survey stakes stolen. Owner of 618 Monroe started problems with him. Dave mentioned no mortar in the foundation and discussed the property being over the line.

Ron Dausch indicated most of the write ups were on the accessory and perhaps a few items on the house. Someone is living in the property. Ron has not had any dealings with the Spencers. Mr. Fisher came in and completed the SOR. Everything is to be done by the end of this month. As far as encroachment, that is a separate thing. Mr. Dausch can't make the owner move it or anything but as far as all the issues we have here, we can take care of that. Would like to table until the October meeting.

After much discussion, the Board recommended seeking an attorney regarding the encroachment and other issues Mr. Heckathorn is having.

**MOTION TO TABLE TO OCTOBER: DS, SECOND: JG , ALL APPROVE.**

**234 E 6<sup>TH</sup> (HOUSE & FANCING): HUMPHREY, DIANE K & PAT F LACOSS**

No one present.

Ron Dausch informed the Board that we have an SOR in place. Suggests tabling. DeeDee Richards would like to table to October for progress check so that action can be taken if nothing has been done. Derek Sharp agreed.

**MOTION TO TABLE TO OCTOBER DS, SECOND: GM, ALL APPROVE.**

**565 HARRISON (HOUSE & ACCESSORY): BOOTH, DOROTHY MAE**

No one present.

Ron Dausch indicated a permit was pulled to demo the shed this weekend. Window repaired. Church group is helping. No SOR in place. Ron suggests tabling to October meeting.

**MOTION TO TABLE TO OCTOBER: DS, SECOND: JG, ALL APPROVE.**

**363 W 7<sup>TH</sup> (HOUSE & ACCESSORY: HELEN WICKEY**

Shannon Williams (daughter) present.

Ron Dausch said the notice was sent. The owner passed away. Shannon Williams came in & met with us. An SOR was to be in place. Shannon Williams indicated that she wasn't able to get back with Ron's office due to some other issues. After Shannon came in, she got extremely sick and other various health issues. Shannon has until October 6<sup>th</sup> to redeem the \$2600 amount on the house before it goes to tax sale. Ron recommended tabling to October meeting and the SOR must be in. Shannon Williams indicated that the house has to be in her name in order to qualify for weatherization, etc.

**MOTION TO TABLE TO OCTOBER AND GET SOR IN PLACE: GM, SECOND: DS, ALL APPROVED**

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**218 E 3<sup>RD</sup> (FENCE REIMBURSEMENT): FREDERICK B LLOYD**

No one present.

Ron Dausch indicated that Code crew reported an issue with the fence during the code clean up. Our office did an emergency clean up on it and we are asking for reimbursement of our expenses. Code Enforcement said that the invoice was for \$615.00.

**MOTION TO ALLOW REIMBURSEMENT TO INVOICE FOR REIMBURSEMENT: DS, SECOND: GM, ALL APPROVED.**

**COMMUNICATIONS:**

**A. CDC:**

- a. Quite a few calls from contractors regarding the CDC program. Should be moving along soon. Plan is interested, registered, licensed contractors would meet with Mr. Dausch at the properties, get a list of the deficiencies and a packet which would include an offer form as well as an SOR to fill out with the timeline just like we do everything else. The CDC board would review the applications and choose someone to go forward with on each one of the houses. There are 10 or 11 properties.

**B. SALE OF LOTS**

- a. All lots were sold. A total \$ amount will be given to the Board at the next meeting.

**C. TAKING CERTIFICATES FOR 8 PROPERTIES**

- a. 64 Adams (lot, Bishop), 73 Thorpe (lot, Dagnen), 165 E 5<sup>th</sup> (lot, Kendall), 304 E 2<sup>nd</sup> (house, Boggs), 320 N Broadway (lot, Walters), 322 W 13<sup>th</sup> (lot, Groshon), 351 E 5<sup>th</sup> (church, Sipe/Norris), 496 Madison (house, Home Opportunity), 504 Oak (lot, Haines, Danny)

**PUBLIC COMMENT:** Jim Aspinwall had some concerns with a neighboring property at 371 W 7<sup>th</sup>. Code Enforcement would follow up with Jim regarding the concern.

Another gentleman had stopped by regarding 394 Washington, and 357 Washington is being worked on well.

Ron Dausch: Suggest an ordinance to allow remote board members to be able to vote remotely. Board agreed to allow this so long as it is not abused.

**Next meeting October 21, 2021. No meeting for November. December meeting would be December 16, 2021.**

**ADJOURN:**

**With nothing else to come before the board, the meeting was adjourned.**

**MOTION: DS**

**SECOND: JG**

**TIME ADJOURNED: 3:10PM**