



# City of Peru Board of Building Appeals

Building and Zoning Department  
35 S. Broadway  
Peru, IN 46970  
765-473-4881

## **BOARD OF BUILDING APPEALS MINUTES MEETING DATE: JANUARY 28, 2021**

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

### **CALL TO ORDER: 2:00PM, JANUARY 28, 2021**

BOARD PRESENT:  
DEEDEE RICHARDS, JEFF GUNNING, DEREK SHARP, GEORGE MIZE  
ABSENT: JACK STODGELL

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

## **OLD BUSINESS: UPDATES BY BUILDING COMMISSIONER, RON DAUSCH**

### **336 E 3<sup>rd</sup>: BECKY WRIGHT SAMPSON (UPDATE)** No one present to represent the property.

Building Commissioner Ron Dausch indicated that when he visited the property last, progress was 95% done. Ms. Sampson has hired a new contractor to complete a few minor things. Mr. Dausch was unable to meet with the contractor prior to this meeting. Would like to table until the next meeting for completion.

**MOTION was made to table until February 2021 meeting.**  
**MOTION: DS**  
**SECOND: GM**  
**UNANIMOUSLY PASSED 4 TO 0.**

### **352 VAN BUREN: KARY KINTNER OR CHRIS TYLER**

Chris Tyler present. Building Commissioner Ron Dausch indicated that our office has had not contact since October. Some painting and some other things have been done based on driving by. The bulk of the repairs have not been done. Recommend \$3000 Civil Penalty.

Chris Tyler indicated he had called monthly and there was no meeting.

After much discussion regarding contact and updates, Mr. Tyler indicated he had an MRI and surgery coming up next week. The Board agreed to issue a \$3000 Civil Penalty contingent on progress within six



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months. The Board further explained that if the project is not complete in six months, the Civil Penalty would be applied.

**MOTION was made to table for six months. If the work is not complete in six months, a \$3000 Civil Penalty will be issued.**

**MOTION: DR**

**SECOND: DS**

**UNANIMOUSLY PASSED 4 TO 0.**

### **168 N LAFAYETTE: MCKINNEY, THOMAS**

Thomas McKinney present. Building Commissioner Ron Dausch explained to the Board that there is no plan and no progress. Requesting a \$2500 Civil Penalty.

Mr. McKinney explained that the last time he was in, he had filed through the USDA (for financial assistance for the repairs) but ran into some snags. The State of Tennessee had child support on him, but he has that taken care of. Mr. McKinney indicated his wife has a student loan that they are working on right now. Mr. McKinney indicated that the USDA kept sending the paperwork back because it wasn't complete. He indicated that they should be close to getting everything cleared off so they can continue with the loan.

Mr. McKinney would like to start doing the work himself. Then if he could get situated with the loan, hire a contractor to complete it (the work).

Brenda Douglass explained that Mr. Dausch came out in July to go through the project with a contractor (Byrd Construction) that was going to turn in a bid before the July Meeting. We met again in September and didn't have an update then. The last heard from Mr. McKinney was in January on the 14<sup>th</sup> indicating he had gotten an email from the USDA. Mr. McKinney clarified that he had gotten a call from Tennessee indicating everything would be cleared off 2/1/2021.

It was clarified that Mr. McKinney and his wife live at 168 N Lafayette but has arrangements for a place in Kokomo to live while the work is being done.

Mr. Dausch indicated he was willing to allow Mr. McKinney to do the work himself and asked why that hadn't started 6 or 7 months ago. Mr. McKinney said he wasn't sure if he would need to get permits.

Mr. Dausch said that he would need a permit but there would need to be a Schedule of Renovation in place and a timeline that the Board would agree with.

Brenda Douglass asked where the repairs would start. Mr. McKinney said gutting out the inside to see what he is working with and reframe the whole place, get the roof off it, new rafters.

Derek Sharp indicated the Board would give him three months, he would have to file a Schedule of Renovations with Mr. Dausch, get this started ASAP and pull whatever permits they would need.

Brenda Douglass asked about scheduling a time to complete the Schedule of Renovations and get the permit.



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Derek Sharp indicated that the Board would table the matter for three months. If nothing has been done in the three months, in filling out the Schedule of Renovations with Ron, there would be a \$2500 Civil Penalty attached at that time.

**MOTION was made for a \$2500 Civil Penalty contingent on the SOR being in place and work started in three months.**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

### **303 W 6<sup>TH</sup>: ROLES, KENNETH E JR.**

Ken Roles present. Building Commissioner Ron Dausch indicated that he and Mr. Roles had spoken in the past and the intention is to work with the bank and let them take the property over. Mr. Roles confirmed this. Mr. Dausch continued that since the last meeting he hadn't heard anything, so we wanted to bring it before the Board. Mr. Dausch indicated that we did just receive information from the City Attorney that the foreclosure is moving forward. Mr. Dausch recommended tabling and letting that process go through and then we would deal with the Bank. Mr. Dausch wanted to ensure that we have bank information and contact information.

Dustin Kern, City Attorney indicated that we should have notified the Bank of these proceeding if they had a recorded mortgage.

Brenda Douglass said that she had checked with Paul Wilson in the Recorder's office and there were no such documents. The email from the attorney working with the foreclosure is on file with the attorney's contact information.

Derek Sharp made a motion to table this matter.

**MOTION was made to table until the foreclosure is complete.**

**MOTION: DS**

**SECOND: JG**

**UNANIMOUSLY PASSED 4 TO 0.**

### **312 W 6<sup>TH</sup>: SCOTT JAMES LLC**

No one present. Ron Dausch informed the Board that the work had been completed and a Certificate of Occupancy, so he requested that the Board close this one.

**MOTION was made to close the case.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

### **229 W 6<sup>TH</sup>: WIPER CORPORATION/COREY KINGERY**

No one present. Building Commissioner Ron Dausch explained the case history to the Board. This is a house that Vinod Gupta owns, sold on contract to Corey Kingery. Corey Kingery, at the last meeting sold



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it to someone else. Then Corey Kingery took the property back. Mr. Kingery met with Mr. Dausch a couple of times. We got everything dialed in and thought things were moving forward. We had a timeline set. Next thing I knew, he sold it again on contract to somebody else. I met with him prior to this meeting. I have no reason to doubt when he tells me he has passed all the information on to the new owner. We have had zero contact and zero work. At this point, I would ask the Board to institute a \$3000.00 Civil Penalty.

Derek Sharp asked for clarification on Mr. Kingery.

Mr. Dausch clarified that Mr. Kingery is documented at the Courthouse as buying the property from Vinod Gupta on contract.

Any decision made will go back to Gupta who was notified of the meeting as well.

Dee Richards asked if the Board would hear this at the next meeting. Ron Dausch explained that the house was in too good of shape to request a demolition order on. The only thing we can do is bring the case to the Board and have additional penalties added.

**MOTION was made to assess a \$3000 Civil Penalty.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

## **217 W 5<sup>TH</sup>: RUSTY WAGGONER**

Rusty Waggoner Yates present.

Building Commissioner Ron Dausch reviewed the case with the Board. An SOR (Schedule of Renovations) was in place in September. Mr. Dausch asked for clarification from Brenda Douglass on the status of the permit. Ms. Douglass explained that on the day the SOR was filled out with Ron Yates, because Rusty Waggoner is on the deed, that Rusty would need to come in. Ron Yates indicated he would have Rusty come in that week. Regarding the permit payment, Mr. Yates was working some jobs and wanted to bring money up as he could (make payments on the permit). On September 13, 2020 we met regarding the SOR. Permit would be \$128. Signatures needed to be in place by September 21<sup>st</sup>. No money on the permit was ever brought in. Our office allowed some work to be done on some electrical after a storm through Bowman's. Our office also allowed some work to be done on the roof. All work was emergent nature items.

Mr. Dausch explained that there had been code enforcement issues and they had cleaned up the back yard, also clean up in the basement. Mr. Dausch went over small things several times with him (i.e. put the cover on the water heater so someone can't reach in there and get electrocuted, etc.). Since the last time we met, which was several months ago, we have had no contact, no inspections, nothing. At this point, we ask for a \$5000.00 Civil Penalty.

Rusty Waggoner Yates indicated that the front door has been changed, and one side down on the fence and getting the other side down today, replaced kitchen cabinets and kitchen and bathroom floor. A couple of windows needed to be changed. With Bowman's doing the electric work and the roof is done,



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we have a piece of soffit or fascia that needs to be replaced. Other than that she was unclear on what else she needed to do.

Mr. Dausch asked if Ms. Waggoner-Yates had ever seen the SOR. She recalled signing it but did not remember getting a copy. Mr. Dausch had Ms. Waggoner-Yates take a look at his copy.

Derek Sharp suggested that since the permit had not been paid for, perhaps the Schedule of Renovation had not been given to her.

Ms. Waggoner-Yates, said that once the electric and the roof got done, Ron Yates never came up to pay on the permit, so she didn't know if he forgot about it.

Mr. Sharp advised that this is a serious situation that will not get any better.

Dee Richards mentioned that no inspections had been done. Work was done with no inspections.

George Mize asked how long the case had been opened.

Brenda Douglass advised the case had been open since 2017.

George Mize asked if a new roof had been put on to which Ms. Waggoner-Yates indicated yes.

Brenda Douglass clarified that it was not an entire roof, but just a portion of the roof.

Mr. Sharp indicated that it appeared not to be complete in the back.

Ms. Yates indicated she didn't do the work, so she wasn't sure. Mr. Dausch clarified that some metal had been put on, but only partially done.

Mr. Sharp, after conferring with the Board, that the Schedule of Repair, with thirty days to get started on it. If after thirty days if there isn't a good start and the permit isn't paid for and a couple of inspections, then we will be at the \$5000 Civil Penalty at that point.

**MOTION was made for a \$5000 Civil Penalty contingent on SOR completion, permit paid and some inspections done in thirty days.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

**486 WASHINGTON: JEFF & REBECCA SAMPSON, SCOTT HUDSON**

No one present.

Building Commissioner Ron Dausch indicated that it appears that a little metal was put on it, but what they (the owners) did was threw the metal over the top of rotted OSB. Mr. Dausch gained entry to the structure with the gentleman that is renting it from the owner (Steve Hudson). The agreement, according to the owner, is that Mr. Hudson would take care of the maintenance. After meeting with Mr.



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Hudson, an SOR was filled out by the owner and renter. Everything would be done within 60 days. What we would recommend is a \$3500 Civil Penalty contingent on the work completed within 60 days or the structure be completely torn down in 60 days. If the work is done or the structure is torn down, they wouldn't have the penalty.

**MOTION was made for a \$3500 Civil Penalty applicable if the structure is not completely repaired or completely demolished in sixty days.**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

## **NEW BUSINESS:**

### **68 E 5<sup>TH</sup>: JUDITH MYERS**

No one present.

Building Commissioner Ron Dausch indicated this structure suffered a fire. Mr. Dausch met with the owner in November. At that time, the owner was going to tear the structure down. Nothing has been done. Contact has been attempted with no response. Since we sent the notice of this meeting, we received information that Alan Jackson intends to have it taken down by March 1, 2021.

**MOTION was made for a \$4000 Civil Penalty applicable if the structure is not completely demolished by March 1<sup>st</sup>, 2021. Review in sixty days.**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

### **110 EWING: DEWEY, CARL & SHERYL**

No one present.

Building Commissioner Ron Dausch indicated the house had been in rough shape for some time. Mr. Dausch met with the homeowners in the Spring/Mid-Summer. At that time, they were going to get a contractor for the roof. Lots of code issues that were taken care of. Nothing transpired. Mrs. Dewey called and could not be here due to COVID. Mr. Dausch asked for clarification from Brenda Douglass on a contractor being confirmed.

Brenda Douglass reported that Mrs. Dewey indicated she had Parsons come yesterday. In speaking with Herb Parsons today, Mr. Parsons said he saw her a couple of months ago and had not heard from Mrs. Dewey since. Ms. Douglass continued that the Dewey family was referred to the USDA and if residents meet the criteria and own their own home, it is a great program. After emailing Steve Ballard at the USDA to check on the status of the Dewey case, it was discovered that no application is on file for the Dewey family for this particular house.

Mr. Dausch indicated that due to the lack of progress and communication, a \$5000 Civil Penalty is requested.



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Derek Sharp questioned whether the Board had heard a case on this property before and how long the Dewey family owned this home.

Ms. Douglass clarified that the house/primary structure had not come before the Board before and the Dewey family had owned the structure since 1998.

It was clarified that no Schedule of Renovations had been submitted and no application to the USDA had been submitted.

Ms. Douglass relayed to the Board that during the phone conversation with Mrs. Dewey, Mrs. Dewey said she did not want to lose the home as they had lived their "forever". Ms. Douglass indicated that the office had done all they could in trying to get the family some help.

Rebecca Thoden indicated that regarding Code Enforcement, the property has been cleaned by the City a few times and have looked at getting a permanent injunction on it because there are so many code issues all the time. Ms. Thoden clarified that the residents of the home included Mr. and Mrs. Dewey as well as a son, who, at one time, lived in a van in the back yard.

**MOTION was made for a \$2500 Civil Penalty applicable if the Schedule of Renovations and timeline are not in place for the work in thirty days.**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

## **119 N UNION: HINES, DOUGLAS**

Douglas Hines present. After introducing himself to the Board, he said that he was surprised at being called to the meeting. He believes that being at the meeting is a failure on his part to understand how he needs to work with Mr. Dausch. Mr. Hines indicated that he took over the property in June of 2020. At that time, Mr. Hines cleaned up past fines on the property and pulled the building permit. Mr. Hines met with Mr. Dausch at the property to show him progress that has been made. Mr. Hines feels a lot of the issues with the house have been addressed at this point. From what he recalls, the pictures mainly address the amount of trash and debris left behind from the previous owner, Mr. Caldwell. Mr. Hines indicated he has largely gutted the interior of the property, primarily the kitchen, bathroom, downstairs bedroom and utility room. Mr. Hines indicated he is 20% of the way through getting the property ready for tenants. Mr. Hines indicated he has limited man power to make things go. There is no heat in the house. Even though he put new electrical, new 200 amp electrical in the house, new tubing going to all the faucets, it isn't really his intent to do anything more until we are in warm weather, probably April timeframe. Mr. Hines will need all of this year to complete what he plans to do with the structure. It is Mr. Hines intent, in June, when the permit expires, to renew another year and make best speed once warm weather comes. Mr. Hines has the furnace there to put the heat in the building but didn't plan to do anything in the winter time because there is so much to do outside. Mr. Hines continued that we would have to get to warm weather to make any difference. Mr. Hines indicated he has completed what he thinks needed to be done to the garage, as there is a new door there that is complete. Mr. Hines said the biggest part of this project was to empty out all the crap that was there and demo out the floors that



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were collapsed in four of the rooms, rebuild the floors and then put it back together on the inside. Mr. Hines had ceiling tiles that had collapsed & were dilapidated upstairs that were removed so he can have a new drywall ceiling in the center. Mr. Hines indicated that during the walk through, Mr. Dausch saw the drywall in the center and corrected him that the drywall is not the correct 5/8ths. Mr. Hines said that he needs 2021 to get things done.

Dee Richards asked for clarification on whether Mr. Hines only pulled the permit and not the Schedule of Renovations. Ms. Douglass responded that the permit was pulled in June but no SOR. Ms. Richards continued to Mr. Hines that the photos show lots of work that have never been inspected.

Mr. Dausch suggested that part of Mr. Hines problem is that he had less than competent contractors in the home. There is a lot of work that has been done, from the inside. From the outside, there were a lot of things done, but not finished. After meeting with Mr. Hines, it was clear that the outside repairs are only temporary. In the Spring, Mr. Hines will get rid of the temporary fixes outside and do them right as Mr. Hines just wanted to get the holes closed up.

After the walk through, the Schedule of Renovation has been drafted with updated pictures showing current issues. Ms. Douglass confirmed that these documents had been emailed to Mr. Hines this morning (1/28/21). Mr. Dausch indicated that at this stage, regarding the drywall, the people that put the drywall up...if they knew what they were doing, would have put 5/8 drywall. They installed 1/2". Now it will have to come back off. Some of the wiring is done but as you can see from the pictures, chunks were cut out of the floor because they didn't know what else to do with them. There were a lot of issues like that because they were done by people that either knew what they were doing and chose not to do it (the right thing) because Mr. Hines wasn't there to keep an eye on them, or they just didn't know what they were doing.

George Mize indicated that his granddaughter lives across the street. Mr. Mize commended Mr. Hines for keeping it clean and the number of dumpsters used.

Mr. Hines indicated he had a few thousand dollars in emptying out the property.

Building Commissioner Ron Dausch would recommend tabling this matter until the next meeting. If everything is moving forward like it should be then the Board will be updated. If the Schedule of Renovations is not in place and it (the timeline) is something we can't live with, we will bring it before the Board.

Mr. Hines said that he would like to wait until May before he comes back to the Board after he shows Mr. Dausch the game plan. Mr. Hines continued that he doesn't plan to put any work towards this until we get to warmer weather. Mr. Hines would like to wait until the May meeting.

Mr. Dausch clarified that if we just update the Board, there is no action that can be taken. As long as we get the SOR in place and as long as it is reasonable, you (Mr. Hines) won't get notified. We would just update the Board. You (Mr. Hines) wouldn't have to spend time to come back in unless we notify you certified like we did for this meeting. In thirty days, if the SOR is not filled out then I would have to report that to them, but I am assuming that will get done so we will have that in place.





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Mr. Hines wanted to wait for Mr. Dausch after the meeting. Mr. Dausch indicated that would be fine, but also noted that Brenda Douglass emailed the documents to him via email. Ms. Douglass added that the document could be filled out at home and send back in. Ms. Douglass continued that anything that was on the original order to correct is on the Schedule of Renovations, we just need timelines on when those items will be started and completed. If you (Mr. Hines) don't intend to start on any of the real work until it gets warmer, we just need those dates. And if the SOR is good and executed, then that is what we will update the Board with. If we don't get the SOR back and we don't hear from you, that is when you would have to come back, but the main thing, going forward is that you call for those inspections, so Mr. Dausch is a regular at that house.

**MOTION was made to table until the March meeting.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

### **301 LOVELAND: EARHART, ROBERT**

No one present.

Building Commissioner Ron Dausch indicated that we were notified that a new investor has purchased it or is in the process of purchasing it. They have been in contact with us. They have had their contractors come in and look at what repairs needed to be made to put together some quotes for the new owner. Recommend tabling this until the March meeting for updates.

**MOTION was made to table until the March meeting.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

### **357 WASHINGTON: SPENCER, JASON**

No one present for the owner. Neighbors in support of the new owner included Dixie & Russell Williams as well as another neighbor that did not sign in.

Building Commissioner Ron Dausch indicated that there are still quite a few issues. Mr. Dausch wanted to get together with the owner to look at the inside. The roof is less than straight and true, but as long as it is stable, we can live with that. Mr. Dausch would recommend tabling for no more than three months to allow for the work to be completed and all inspections to be completed.

Ms. Douglass let the Board know that the Schedule of Renovation submitted by the owner on 1/27/2021, was included on the last tab of the electronic files. According to the Schedule of Renovations, Mr. Spencer indicating beginning the 1<sup>st</sup> of February 2021 and completing all work on April 30<sup>th</sup>, 2021.

Ms. Douglass inquired with the neighbors if they had any comments or questions. One of the neighbors indicated that it appeared that Mr. Spencer was really trying and that the Board should give him a little more time. Another neighbor indicated the same.



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**MOTION was made to table the case until the May 2021 meeting to allow the work to be complete as well as the inspections.**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

### **364 E MAIN: WALLACE, GERALD**

No one present.

Building Commissioner Ron Dausch told the Board the tenant contacts him directly to come down regarding quite a few issues. We reached out to the owner who has not called us directly. Our office was contacted by Ron Droscha who never really stated he took care of the place, but that he was helping his friend. Several attempts to reach out have gone with no response. According to Droscha's messages left, a large portion of the repairs are done. Nothing on the outside has been done at all. Mr. Dausch can't speak to the inside. He has gone to the house to make contact with the tenant but have had not response. The only thing that may have indicated work being done is a contractor sign in the tree line from Worlarskey's. We are not sure what has been done. There are holes going outside, bird feces thick on the stairs, a lot of issues. One picture of the ceiling is in the living room where it is coming down.

For the lack of response, we would ask for a \$3000 Civil Penalty.

Dee Richards asked if there are people residing in the structure. Mr. Dausch responded that at least a female and two small children. Ms. Richards asked if utilities are current, which was confirmed.

Mr. Dausch indicated that if there is no response soon, the next step, because of the mold and the feces and the children is to contact the Health Department and CPS.

**MOTION was made to immediately assess a \$5000 Civil Penalty and the matter should come before the meeting again in February.**

**MOTION: DS**

**SECOND: JG**

**UNANIMOUSLY PASSED 4 TO 0.**

### **365 N FREMONT: WALTER, RICHARD & DONNA**

No one present.

Building Commissioner Ron Dausch indicated this was an old case, from prior administration. Mr. Dausch spoke with Mrs. Walters several times and an SOR is in place. According to Mrs. Walters, one of the issues is that they had a garage. The roof on the garage was demo'd but the walls are still up and intact, so they have a storage area which is fine, but the Walters were using the blue tarp as a roof with no supports or anything. Mrs. Walters contended that the blue tarp was not being used as a roof but only to keep the rain off the stuff underneath. After our second conversation (with Mrs. Walters) we are on better terms. They understand things that are doable. Recommend tabling for the Walters to work through the SOR and the Board will continue to get updates.



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Brenda Douglass directed the Board to the last tab of the electronic file for the SOR that was submitted. Work would start on May 1 and be completed by November 1, 2021.

**MOTION was made to table until the November meeting with updates in the meantime.**

**MOTION: DS**

**SECOND: JG**

**UNANIMOUSLY PASSED 4 TO 0.**

#### **465 E MAIN: ROBERTS, BILLIE J.**

Jeremiah Spencer present. The Duckwalls were in the audience as the neighbor.

Jeremiah Spencer introduced himself to the Board. He is married to Billie Roberts-Spencer.

Building Commissioner Ron Dausch confirmed that the Schedule of Renovations was turned in.

Ms. Douglass referred the Board to the last tab of the electronic file. Work will be started a few days prior to the meeting with the last work to be done by April 30<sup>th</sup>.

Jeremiah Spencer explained that there had been a problem with the garage, so they refinanced the loan and replaced the garage roof. Now the house roof is a problem. The garage roof is only six months old.

Mr. Dausch suggested that since there is a good plan and the SOR is in place, we table this until the May meeting, while we update the Board on the progress.

Mr. Spencer was reminded to pull any permits (Roofing) that are required and call for inspections.

**MOTION was made to table until the May meeting.**

**MOTION: DS**

**SECOND: JG**

**UNANIMOUSLY PASSED 4 TO 0.**

#### **467 S BROADWAY: ACKERMAN, FRANKIE**

No one present to represent the property. Max Glassburn presents to voice his concerns regarding the house.

Building Commissioner Ron Dausch spoke with Frankie Ackerman (of Oklahoma). She understands the work needs to be done. She has sent us an SOR. She sent us a list indicating she has a contractor who would work the repairs in whenever they had time. Mr. Dausch explained that would not work.

Ms. Douglass explained to the Board that the typed list they had a copy of on the electronic files is the same that Ms. Ackerman left with us when she left September 2019. Mr. Sharp asked how much had been completed. Ms. Douglass indicated nothing had been done. Ms. Douglass continued that Mr. Dausch had requested that a copy of the SOR on our format listing the remainder of the items to be corrected from the original Order to Correct be sent to her. No response with a new timeline has been turned in to our office.



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Derek Sharp suggested that a civil penalty be assessed.

Max Glassburn spoke to the Board with his concerns. Mr. Glassburn indicated the property has been an issue for 22 years. Mr. Glassburn told the Board he lives at 19 McKinstry. Concerns include windows in the basement that have been broken for quite some time, 5 cats living in the basement, the main structure of the house has a steel roof that was installed with screws over a rotted double asphalt roof. No furring strips or anything. This winter Mr. Glassburn was waiting for the steel to blow off. Mr. Glassburn indicated that Ms. Ackerman did have a contractor come in and put roofing around the rest of the house. Mr. Glassburn informed the Board that a previous tenant indicated there was black mold all over the house. A contractor put in a new door and removed the condemned sticker. The house is trash. Previous residents trashy. Mr. Glassburn explained that there were two separate squatters in the house. One had a grow station (marijuana) in the basement. Another had chickens in the basement and was selling eggs. Mr. Glassburn was told by Mr. Jerry Santen, previous building commissioner, that it was none of Mr. Glassburn's business.

Mr. Dausch indicated he has never been in the house.

**MOTION was made to assess an immediate \$3000 Civil Penalty. The Schedule of Renovation needs to be in place by the next meeting. This matter will come before the Board in February.**

**MOTION: DS**

**SECOND: GM**

**UNANIMOUSLY PASSED 4 TO 0.**

**474 E 3<sup>RD</sup> ST: REEMER, BENJAMIN**

No one present.

Building Commissioner Ron Dausch has had no contact with the owner. No change in status of the structure. Request \$5000 Civil Penalty contingent on self-demo not being performed in thirty days.

**MOTION was made for a demo order and a \$5000 Civil Penalty if the structure is not removed in thirty days. (Review at March meeting.)**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

**525 E 3<sup>RD</sup>: MCMILLAN, JASON JOSEPH**

No one present.

Building Commissioner Ron Dausch indicated he had been in contact with the owners and the owners are in the process of renovating the house. The owners have pulled the permit. Things should move forward quickly. Request table until next meeting for progress check.

**MOTION was made to table until the February meeting.**



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**MOTION: DS**  
**SECOND: DR**  
**UNANIMOUSLY PASSED 4 TO 0.**

## **537 E 2<sup>ND</sup>: PATRICK, CLAYTON & GRANVILLE**

Nellie Patrick & Susan Stark present to speak about the property. Neighbor Rick Blair was in the audience.

Building Commissioner Ron Dausch requesting demo order with the garage only. There are a few issues with the house, but we can work with the home owner on that. Recommend demo order and \$3500 Civil Penalty if not demolished in 30 days.

Mrs. Patrick asked if she could just fix the garage because it is full of stuff. Mr. Dausch said he would have to get together and come in to do a complete inspection. The Schedule of Renovation would include a list of things that would need to be repaired to make it safe. The Board can approve the timeline.

Mr. Dausch indicated he would need to set a time to meet.

Brenda Douglass indicated that when the Order to Correct was sent out some of the items that were on it were attempted to be repaired. The front porch needed work and they completely removed, however they exposed subsiding.

Dee Richards asked Mr. Dausch if the garage is salvageable. Mr. Dausch indicated that his position is that if someone is willing to put the time and money in, anything is fixable. In this case, we would need a complete inspection, a better feel for what we are working with and go from there.

Ms. Patrick indicated she had put a door on it (the garage).

George Mize indicated that another important item is to keep the weeds down and looking nice. Ms. Richards stressed the importance of the repairs as it appeared beyond repair and the garage is affecting other property values (in the area) and is a safety issue. The structure has definitely been neglected. Ms. Richards stressed the importance of communication.

A time was scheduled for 10am on Monday to look at the structure to determine what needed to happen.

**MOTION was made to table until the February meeting to have the SOR in place and an inspection.**

**MOTION: DS**  
**SECOND: DR**  
**UNANIMOUSLY PASSED 4 TO 0.**

## **557 MADISON: BRINDLE, BRUCE & REGINE**

Bruce Brindle was present to represent. Rosa & Russell Hatton (neighbor) present to remonstrate.



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Building Commissioner Ron Dausch introduced Bruce Brindle to the Board. Mr. Dausch has spoken to Mr. Brindle several times. Mr. Brindle did complete the Schedule of Renovation with a vague timeline partly due to Mr. Brindle looking into financing and estimates.

Mr. Brindle told the Board that he had one estimate for the roof and is waiting on another. One of the contractors told Mr. Brindle that it would only take one day to do the roof.

Mr. Dausch told the Board that this is a vacant home, a family home that was recently vandalized. Mr. Dausch indicated that if the Board wanted to assess a civil penalty otherwise, sometime this year it will be done. Mr. Brindle couldn't apply for the financing until he knew how much he had to go for.

Mr. Brindle said that a lot of this he is doing out of his own back pocket. This was something he planned to do years earlier, but he paid for Obama Care and it really put a strain on his savings. Everything is scheduled. He wants to do the roof first. If everything works out ok, it should be done by the end of February. Just getting financing secured and telling the contractor. When he (the contractor) has time to do it, it will take him approximately one day. Then when he saves money, he will replace the doors and windows in it. Next. That will cost a little more than the roof. Then, depending on what types of changes are made, I am not going to touch the siding until after the doors and windows are in because if anything goes in a different size than what came out it will affect the siding. He would hope, with a lot of this coming out of his back pocket as he gets it (money), ...

Mr. Brindle told the Board that he started tearing out the inside of the house. Most of the floors are up. He is starting to take down drywall that needs replaced so a lot of the work he has done is on the inside. The house is structurally sound. The roof doesn't leak. Between last Friday & last Tuesday, when he was with the contractor, he noticed a picture window on the front of the house, a bedroom window on the front of the house and a window on the back porch had rocks thrown through them.

Jeff Gunning asked who the roof contractor was that provided an estimate. Mr. Brindle informed him that Parsons is the only one that got back with him. Derek Sharp asked if Mr. Brindle had a contract with Mr. Parsons. Mr. Brindle indicated he only has a quote. No paperwork has been signed as he waits for the next bid.

Derek Sharp asked for clarification on the roof timeline (February). Mr. Brindle said that as soon as he gets the financing, he gives the ok to do it and the contractor has the time, it will only take one day. No peaks and valleys. Derek Sharp indicated his concern is no set timeline as Mr. Brindle says it depends on scheduling.

Mr. Dausch suggested that by the February meeting, the SOR is updated and times be put on for the other things.

Mr. Brindle said the timeline depends on how much the cost and how much he can save. Mr. Brindle suggested that as things get done, Mr. Brindle can photograph them and give them to Mr. Dausch so he can attach to the file. Mr. Dausch reminded Mr. Brindle that there would have to be inspections. And permits.

Mr. Sharp indicated that communication is key.



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Mr. Brindle said that he has been working on this since he was notified but if it comes down to tearing it down, he will tear it down himself and end up saving money on property taxes.

Rosa & Russell Hatton (neighbor) stated that at least Mr. Brindle could clean it up. There is gutter hanging down. The neighbors have lived there for four years and they are lucky if the property gets mowed. When the owner cuts it, it looks like a hay field.

Mr. Brindle indicated he has been keeping up with it, but it has been a money issue.

Ms. Douglass indicated that Rebecca Thoden is code enforcement. Once the property is written up, it is on notice for the rest of the year. If the crew goes by it and sees anything over 8", they mow it and send the bill to the owner.

Mr. Brindle went on to say there is a washer, dryer, range, freezer, refrigerator. The property is structurally sound, but he hasn't had the money to do anything else. Mr. Brindle stressed that if he saves the money and something comes up, he can't do anything.

Mr. Sharp stressed getting a more detailed timeline on the repairs. Mr. Sharp told Mr. Brindle that they would like to handle this without assessing a civil penalty.

**MOTION was made to table until the February meeting, with an updated SOR with a timeline the Board can live by (detailed & less vague).**

**MOTION: DS**

**SECOND: DR**

**UNANIMOUSLY PASSED 4 TO 0.**

## **558 W MAIN: OUSLEY, DONALD & THANET**

No one present to represent owners or neighbors.

Building Commissioner Ron Dausch indicated that Brenda Douglass had been in contact with the owner and he has made contact with a contractor.

Ms. Douglass clarified to the Board that the issue is only a portion of the house (the back porch). The owner had contacted Ryan Constable, but Ryan has not been back in touch with the owner. The owner reached out to Rick Tolley to see if Rick would help take down the back section but in order to do that, the back section houses two electrical boxes so the owner has been in touch with Jason Spencer who is meeting him today at 4pm to see what it will take to make the boxes safe or move them so the back section can come off.

This is a new case that has never been before the Board. Mr. Dausch suggested tabling this until the next meeting so we can update the Board. Mr. Dausch did not believe a Schedule of Renovation will be required.

**MOTION was made to table thirty days for progress update.**

**MOTION: DS**



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**SECOND: JG**  
**UNANIMOUSLY PASSED 4 TO 0.**

## **COMMUNICATIONS:**

### **A. UNSAFE DEMOS:**

- a. Completed Demolitions: 15 N Grant, 322 W 13<sup>th</sup>, 405 W 5<sup>th</sup>, 212 W 7<sup>th</sup>
- b. Pending demolitions assigned to contractors: 205 W 2<sup>nd</sup>, 73 Thorpe, 388 E 2<sup>nd</sup>, 496 Madison

### **B. SALE OF LOTS**

- a. List provided to the Board

### **C. CDC PROGRAM**

**PUBLIC COMMENT: None.**

## **ADJOURN:**

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

**MOTION: DR**

**SECOND: GM**

**TIME ADJOURNED: 3:48PM**