

Housing Appeals Board  
August 28, 2018  
Meeting Minutes

The Chairman called the meeting to order at 4:00 p.m. The following members were present: Frank Valli, Sharon Johnson, Dana Gamblin, Walt Matthews, and Gary Guendelsberger. Angela Kotsopoulos, Amanda McClain, and Dante Shipp were present from the Code Enforcement Office; Trevor Hayberger was present from the Law Department, George Poulos was present from the Building Department, and Kelly Kromer Clerk

The first item on the agenda was the disposition of minutes from the previous meeting, July 31, 2018. Mr. Matthews moved to approve the minutes; Mr. Guendelsberger seconded the motion, which carried unanimously.

Ms. Gamblin ask at this time if Ms. Kotsopoulos could come to the podium to discuss old business.

All audience members were sworn in by Mr. Hayberger.

Ms. Gamblin stated that at this time picking up where we left off last month. She stated that what was in question was the report from Mr. Poulos in regards to some of these properties in case number 18-02.

Ms. Kotsopoulos stated that Mr. George Poulos was in attendance. Ms. Kotsopoulos stated that out of the five properties four of them were over 50%. She stated that they were all worse than they anticipated. She added that the house that Mr. Yanushewski lives is not fit to be inhabited. She stated that 1102 W. Adams was in bad condition however general maintenance and upkeep could keep it from falling into a 50% and Mr. Poulos discussed that with the tenant. She stated that it could be brought up and saved, however in a year if it stayed the same status than it to would be 50% deteriorated. Ms. Kotsopoulos stated that her recommendation at this time would be demolition.

Ms. McClain asked Ms. Kotsopoulos if she could go through the percentages. Ms. Kotsopoulos stated that 1102 W Adams St. was 42.65%, 1116 Second St. was 56.65%, 1511-1511 ½ Camp St. was 75.55%, 420-422 Camp St. was 79.85%, and 530 Clinton St. was 87.05%.

Ms. Gamblin asked if there were any questions for Ms. Kotsopoulos. Ms. Johnson asked if the rule for demolition was anything over 50%. Ms. Kotsopoulos stated yes. Ms. Johnson stated it's not fixable? Ms. Kotsopoulos stated that Mr. Poulos is an expert and it would be better answered by him. Ms. McClain wanted to put on the record at this time that "our code gives us the standards and when it says that its over 50% deteriorated or demolished from its original value it shall be demolished." Mr. Poulos stated "that is the answer." Ms. McClain stated that is our standard as Code Enforcement to determine whether or not it will be demolished. Ms. Gamblin asked if there is anyway that these properties could be fixed up. Mr. Poulos stated that the answer is yes. He added that they are no different than the property that the City Hall is going into when he condemned that. He said that if you throw enough money at it you can fix anything. Ms. Kotsopoulos added that it's been proven that in the current status over the last 10-15 years with the current owner that it has not been taken care of and it would not be conceivable that it would happen. Mr. Poulos added that the difference is that if you have grant money or historic money which you don't have on the residential side it doesn't make it work. Ms. Kotsopoulos stated that when they were walking through his own residence that she would guess it would be

\$50,000-\$60,000 to be able to bring his residence up to a livable standard because of electrical issues, structural problems, holes in the roof, fire hazards, and floor structure problems. She stated that there are serious problems with the house he lives in.

Ms. Johnson asked if the board is voting on the issues separately or as a package, stating that she will have to abstain on one of them. The board stated separate. Mr. Hayberger stated that if they come to a decision that 3 of them they know an answer to and 2 they don't know they could group them. Ms. Johnson stated she "thinks we should do them separately." Mr. Hayberger stated that would be fine. Ms. Gamblin just asked that if there are any questions for Mr. Poulos or Ms. Kotsopoulos.

Mr. Guendelsberger asked if he understood correctly that 1102 W. Adams was the least deteriorated and that the tenant would make the repairs. Ms. Kotsopoulos stated that the tenant wants to buy the house and he was the person there to speak to about the house. She stated that if he purchased the house himself she talked to him about the things he would need to do immediately from the heating and ventilation system to getting the downspouts out because his foundations was starting to be affected. She added that there are ceilings that are not repaired and mold growing in the bathroom that had not been fixed because he does not own the property so he will not be fixing it. Ms. Gamblin stated that she wants to understand that 1102 the owner is not...Ms. Kotsopoulos interrupted and said "the owner is Yanushewski and the tenant wants to buy the house." Ms. Gamblin stated "the one that lives in it currently, Ok." Ms. Kotsopoulos added that she took the opportunity to educate him that if you buy this house you have to be able to stick money into it. She stated that it will be worse in a year if it stays the way it is now. Mr. Matthews asked if the gentleman works. Ms. Kotsopoulos stated "yes, he does work and has 4 children that he is also taking care of that live in the house." Mr. Poulos stated that the man works construction so he does have knowledge to know what it would take. Mr. Guendelsberger asked if there are fire hazards at 1102 involved. Ms. Kotsopoulos stated that she felt maybe with the heating source that there were issues. Ms. Johnson asked "what were the violations overall on Adams?" Ms. Kotsopoulos stated that the biggest one was the heating source and the fact that there were no downspouts and the foundation had cracks because of that. She added that in the bathroom there had been a leak and nothing was fixed so then every time they took a shower it was leaking under the floor that will all have to be replaced. Mr. Guendelsberger stated that his issue comes down to the language in Section d3 which talks about fire hazards. He added that if there is fire hazards present than the only option is to demolish the structure. Mr. Poulos stated "that if we could show a photograph of the basement you would see a major fire hazard." He added that it contains all of the owners or previous renters stuff and you can't get through it. Ms. Johnson stated that she has a problem with 4 children living in the house. Ms. Kotsopoulos stated that Childrens Services has been keeping a very close eye and go there often to check on them and unfortunately there are not very many homes in this city that are in perfect condition.

Ms. Gamblin stated at this time we hear from the other side. She asked that they please state their name for the record.

Donald Zaleski took to the podium and stated that he represents First Federal Savings and Loan of Lorain. Mr. Hayberger added for the record that Don was not here when the members were sworn in, however he is an officer of the court and attorneys are always sworn in. Mr. Zaleski stated that he also has Mike Simpson with him. Mr. Zaleski stated that he wanted to let the board know that right now they have a cash offer from a gentleman by the name of Chuck Hempker from Old Town Remodeling and Restoration to buy 3 properties located at 1102 W. Adams, 1511 Camp St, 420-422 Camp St. He stated that he wants to buy these properties, restore them, remodel them, and sell them. He stated that the

other properties 1116 Second St and the property at 530 Clinton St. the bank is not interested in that one and will let the foreclosure go because it is beyond repair. Mr. Zaleski stated that they asking again to give Mr. Hempker time to close the deals and try to get these houses remodeled. He stated that Mr. Yanushewski is willing to sell these 3 properties. Mr. Zaleski stated that he believes Mr. Hempker tried to go out to look at the properties the other day and was escorted off the properties by your building dept. and police dept. that would not let him in there. Mr. Zaleski stated he doesn't know what but that's what happened. Ms. Gamblin asked if he contacted someone from the City to say that he wanted to come out. Mr. Zaleski stated that Mr. Simpson would know more about it than he would.

Mr. Simpson stated that from his understanding the owner is able to get in the property from 9am-5pm. Ms. Kotsopoulos stated "no". Mr. Simpson stated that the police then called the realtor at his office and threatened him with an arrest. Mr. Simpson stated that this bothers him a little bit. Ms. McClain asked Mr. Simpson to please go to the mic. Mr. Simpson stated that part of the issue that he has is that Randy sent people over to clean pout one of the properties on Camp St. and they were kicked off the property. He added that another issue is that a realtor was trying to show the property to a buyer and that realtor got a call at his office from the police threatening him with trying to get into the property. Ms. Gamblin stated that it sounds like this is hearsay and the realtor is not here to say he got a call. Mr. Simpson stated he can call Jeff and "if Jeff wants to testify to that than he can testify to that." Ms. McClain stated with 1511 and 1505 Camp St. they are side by side we had an issue with one of the tenants actually stealing electricity from Ohio Edison and they had to come out and remove the meter because they turned it on illegally, then there was criminal drug activity back and forth and every time we secured the structure it was getting broken back into. She added that there was loitering in the back yard and it became a very active criminal nuisance and the best we could do was to secure both structures and lock it down and make sure the police kept an eye on it. Mr. Matthews asked if they can get permission from the city. Ms. McClain replied by saying if they would have called we could have escorted them. Ms. Kotsopoulos added that they are only to be doing two things which is either fixing the property or removing personal items and the children were neither of that and the people that were arrested, showing a property is not either of those and it is in the code. Ms. Johnson asked Ms. McClain if on the yellow condemned sign there is a City number that is saying that no one is supposed to go into the property unless they are escorted by the police and to call a police number or city number. Ms. Kotsopoulos stated that all you can be doing in a condemned property from 7am-7pm is repairing your property or removing personal items. Mr. Hayberger stated that he is not sure what that is relevant to what they are here for today. Mr. Gamblin stated that her statement was just to clairify when he says that the police were called, "I don't know that, and to me that's a moot point at this time, I'm just asking him if he wants to make a statement and just hearing him out."

Ms. Johnson stated to Ms. Simpson, you say that this Old Town guy is interested in 1102 W Adams, 1511 Camp St, and 420-422 Camp St. I want to know what position he holds at that company. Mr. Simpson said "he doesn't". Mr. Zaleski stated that he is a buyer that wants to buy the property and doesn't work for First Federal. Ms. Johnson stated "he works for Old Town doesn't he?" Mr. Simpson stated that he owns it. Mr. Matthews asked if he owns other properties. Mr. Simpson stated that he thinks he owns 7 or 8 other ones in Sandusky, he added that he is not sure which ones are rentals or if he uses the properties on his own. Ms. Johnson asked if the 7 others are rentals. Mr. Simpson stated "I don't know, I know one or two are the other I'm not sure of." Mr. Simpson added that he owns a property two doors down on W. Adams St. Ms. Johnson stated that she wants to know from the City since this guy owns other property, what shape are they in and have they had and code violations on them. She added that she wants to know some sort of track record on this guy at Old Town. Ms. Simpson stated that the question he has is if there is an interested party that wants to buy the properties is he going to be

afforded time to start fixing them. He stated that he is hesitant in committing in writing if the decision is going to be to demolish them and wants to know if he buys them and signs a purchase contract is he going to be given time to fix these. Mr. Matthews asked "why didn't he show up today?" because some questions you can't answer for him. Mr. Simpson said "your right, that's why I'm here asking." Ms. Gamblin added that he should be the one asking, so if he wants more time before he invest, he should be here to ask that because these properties didn't just go up yesterday to be demolished. Mr. Simpson stated that Mr. Hempker didn't know about the meeting until today. Mr. Zaleski stated that the offer just came to them from him. Mr. Guendelsberger asked if he could hear from Mr. Poulos because these people are willing to invest into properties that are well beyond 50% deteriorated and the code is specific on what the action is. Mr. Poulos stated that what he has down in the past is still proceed with the action here because we are here for that action but at the same token there is a 30 day window before we can actually do anything. He added that if he wants to submit a plan which we always say submit a plan with how he is going to do it, finance it, and a timeline. Mr. Poulos stated that he thinks we would like to save anything. Mr. Poulos asked if he is going to finance it through First Federal. Mr. Simpson stated that he has not talked to them about financing. Mr. Poulos stated that's not our concern, we look at it all. Mr. Simpson said that he will have him call. Mr. Poulos stated that he has been doing this for 42 years and has a pretty good feel for this and some of them you can throw \$50,000-\$60,000 at and you're not going to really see it but it will be livable. Mr. Poulos stated that it's a time line judgement, the order stays in place. He added that the guy is buying into something that is well past the life and it's just a matter of he feels in his heart that he has to do it. Ms. Johnson stated that what we are concerned about if the facts we have here today.

Ms. Gamblin stated that she is going to put 1116 and 530 together for a vote. Ms. Johnson stated that she needs to abstain on 1116 Second St. Mr. Hayberger stated "you should do them all separate."

Ms. Gamblin stated the first property is 530 Clinton St. Ms. Johnson made a motion to go ahead with demolition with 530 Clinton because its 87.05% gone. Mr. Matthews seconded the motion; which carried unanimously. It shall be noted that Mr. Valli abstained.

Ms. Gamblin stated that the next property is 1116 Second St. Mr. Guendelsberger made a motion to move forward with the demolition of 1116 Second St. based on the fact that fire hazards exist on the property. Mr. Matthews seconded the motion; which carried unanimously. It shall be noted that Mr. Valli and Ms. Johnson abstained.

Ms. Gamblin stated that the next property is 420-422 Camp St. Ms. Johnson made a motion to go ahead with demolition with 420-422 Camp St. due to its 79.85% gone. Mr. Matthews seconded the motion; which carried unanimously. It shall be noted that Mr. Valli abstained.

Ms. Gamblin stated that the next property is 1511 and 1511 ½ Camp St. Ms. Johnson made a motion to go ahead with the demolition of 1511 and 1511 ½ Camp St. due to its 75.55 % gone. Mr. Matthews seconded the motion; which carried unanimously. It shall be noted that Mr. Valli abstained.

Ms. Gamblin stated the next property is 1102 W. Adams St. Ms. Johnson made a motion to go ahead with the demolition of 1102 W. Adams due to 42.65% gone. Mr. Guendelsberger seconded the motion; which carried unanimously. It shall be noted that Mr. Valli abstained.

Ms. Gamblin addressed Mr. Simpson and said as of this time Mr. Poulos has explained what the process is now from here. She added that Chuck can contact Mr. Poulos with a plan and you can appeal all of these decisions.

New Business 18-04 Kelly Barrett appealing the First Administrative Penalty for 407 W Monroe St. Sandusky, Ohio 44870 Parcel Number 56-00331.000. Ms. Gamblin stated that Ms. Barrett is not here at this time. Mr. Guendelsberger made a motion to deny the appeal because the appellant is not here. Mr. Matthews seconded the motion; which carried unanimously.

There was no further business before the Board. A motion was made by Mr. Guendelsberger and seconded by Mr. Matthews to adjourn the meeting at 4:30 p.m.

Next meeting September 25, 2018

APPROVED:

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Kelly L. Kromer, Clerk

  
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Mr. Frank Valli, Chairman