

City of Sandusky Housing Appeals Board
January 8, 2019
Meeting Minutes

Page | 1

The Chairman called the meeting to order at 4:00 p.m.

The following members were present: Frank Valli, Janice Warner, Sharon Johnson, Gary Guendelsberger, and Walt Matthews

City staff present: Brad Link and Amanda McClain -Code Enforcement Office; Trevor Hayberger –Law Department; and Kelly Kromer- Clerk

Everyone that was going to speak and testify were asked to raise their right hand. Amanda McClain and Amber Thompson raised their right hand and were sworn in by Law Director, Trevor Hayberger.

Approval of minutes from the previous meeting:

December 11, 2018. Mr. Matthews moved to approve the minutes; Mr. Valli seconded the motion, which carried unanimously.

Old Business:

First Item on the agenda is 18-08 Amber Thompson is appealing the demolition for 1114 5th Street, Sandusky, Ohio 44870. Parcel Number 57-01887.000.

Ms. McClain stated that Code Enforcement is going to slim line the process to ensure the board knows the mailing process and how code works. She added that she will be submitting exhibits and they will be part of the record to prove that it happened.

Ms. McClain proceeded to give a PowerPoint presentation to the Board, in which she recommended denial of Ms. Thompson's appeal. The PowerPoint presentation was placed upon the record and is attached to these minutes and fully incorporated herein. Ms. McClain submitted exhibits A, B, C, D, E, F, G and H to the clerk, the exhibits were submitted to the Board and were placed upon the record.

At 4:04pm Janice Warner arrived to the meeting.

Mr. Valli asked the board if they have any questions for Amanda at this time. All replied no.

Ms. Thompson took to the podium and asked that the board take the pictures off the screens. Ms. Kromer took the pictures down at this time. Ms. Thompson stated that she asked for the appeal because she is still in negotiations with the insurance company. She stated that she has a cash value, appraised value, and replacement value. She stated that she has a paper dated the 21st of December from her insurance adjustor stating that he was in need of the contractors sub bids to support his total estimated \$241,650.00 as there is a large difference of \$37,000.00 between what American Family and Moyer has submitted. She added that he needed this to review in order for American Family to work towards a possible agreement and usually when asked for sub bids they ask for 2 bids to be submitted to use for review and trade. She added that in the email it stated that the insurance company does not agree to the estimate.

Ms. Kromer gave the email to the board and it was place upon the record

City of Sandusky Housing Appeals Board
January 8, 2019
Meeting Minutes

Page | 2

Ms. Thompson stated that the fire was July 8th. She stated that they are in a disagreement with the insurance company. She stated that the insurance gave her a cash value of \$100,000.00 and are going upwards of \$200,000.00. The construction company told her it will cost \$250,000.00 to repair the house which is why she stated they are still in negotiations. She added that she cannot get the full amount to recover the home until they reach an agreement. She stated that she will only get half of the money if she demolishes the house. Ms. Thompson stated that she purchased the property from a bank for \$10,000.00 and remodeled the entire house. She added that she was not allowed to do anything with the house because of the fire investigation. She stated that it was released by the fire Department but was not released by the insurance company due to the neighbors siding damage. She stated that she is \$129.00 in default in her taxes and did not pay in July because her house burnt down the day before. Once it was released from the insurance company she was allowed to do what she needed to do. She stated she has worked with 3 contractors and the adjustor and Moyer is the only one that has stayed by her side during the entire process. She stated that October 8th was the first time that she was able to find a contractor to review and bid. She provided the insurance packet that was sent to her with the information telling her when she could find a contractor. Ms. Kromer passed the paperwork to the board and it was placed upon the record.

Ms. Thompson stated that when the demolition letters are being sent to her she is sending them to her insurance adjustor and the adjustor tells her not to worry about it that the City has rules and can't do anything because they are still in negotiations.

Discussion:

Ms. Thompson stated that she believes that 85% is correct and her house is a total loss as she walked away with nothing. At this time she added details of the fire and response time.

Mr. Guendelsberger asked about the email on December 21st between Ms. Thompson and the insurance adjustor wanting the contractors sub bids. Mr. Guendelsberger asked Ms. Thompson if she has sent the bids and if she has documents that she did so. Ms. Thompson stated that its been requests over phone.

Mr. Guendelsberger asked what the value of the property is and Ms. Thompson stated that she is not sure. He asked if it was \$240,000.00 and Ms. Thompson stated no. She added that the replacement value is \$240,000.00. She said that she has never had a claim in 10 years. Mr. Guendelsberger asked her if she expects the insurance company to give her the replacement value. She stated yes. Ms. Thompson stated that she pays for a 242,000.00 plan.

Mr. Matthews stated that her insurance is \$236,300.00. Ms. Thompson stated yes, that is her policy. She added that the bid is going over what the policy entails. She stated that the insurance company is willing to give her \$202,000.00. Mr. Matthews stated they won't give her the replacement cost until she starts replacing. She stated that she is not allowed to touch it. She stated that if she starts touching things she will no longer be able to get replacement

City of Sandusky Housing Appeals Board
January 8, 2019
Meeting Minutes

Page | 3

value that she will need to settle for cash value. Mr. Matthews stated that you have to touch it to replace it.

Ms. Thompson stated that she has another email and wants to read a bolded line at the bottom. She read the email to the board "do not authorize the contractor to start repairs until any differences are resolved once the work is completed please use your final receipts and invoice along with your name and phone number". Ms. Kromer passed the email to the board and it was placed upon the record.

Mr. Matthews stated the adjustor is saying \$200,000.00 and the contractor is saying \$240,000.00. Ms. Thompson stated the other two contractors she sought out were Mike Gordon and Evan from Firelands and they both have dropped out.

Ms. Thompson stated that she knows the board wants a demo. She added that she has no problem moving forward, she added that she is trying to figure out what is best for her family. She said that she wants to make sure that when she agrees upon something that she is not throwing away her 10 years of labor. She stated that she called two places to demo and they both stated they had bids on her house already. She stated she called Ed Burdue and Paul Fox and Sons. She wanted to get quotes and still has not heard back from the demo contractors and it was two weeks ago. She stated that she's not just leaving it there because she doesn't want to deal with it or walking away from it, she added that she is just trying to do what she is supposed to be doing per the paperwork while balancing with the City. She added that she has a year from the date of the fire to settle.

Mr. Matthews asked how much she has received. Ms. Thompson stated she hasn't got a final amount yet.

General discussion was made about the fire report and response time.

Mr. Hayberger stated that the reason we are here is for an order of demolition and its getting off course.

Mr. Valli asked if there are any further questions for Ms. Thompson.

Mr. Matthews asked when its coming to a close and Ms. Thompson stated she has until the date of the fire. Mr. Matthews stated that they have to look at everything; the neighborhood and the whole picture. Ms. Thompson stated that it's Mr. Matthews neighborhood too.

Ms. Thompson wanted to be clear and explain why she was not at the first hearing. She stated that she has an email from Amanda and Kelly dated for the date of the hearing. She stated that is the only notification she received. She stated she has an email dated November 20th to tell her it was canceled and that it would be rescheduled.

City of Sandusky Housing Appeals Board
January 8, 2019
Meeting Minutes

Page | 4

Ms. Kromer and Ms. McClain stated that phone calls were made. Ms. Kromer stated that is the reason why we are here again today to give her due process and give her a second chance to talk to the board.

Mr. Valli asked if there were any comments from the board. Ms. Guendelsberger stated that his problem with this is that we don't seem to be any closer to a resolution on this than we were some time ago. He added that he doesn't want to see this extend to July. He added that there are a lot of things that need to be taken into consideration. He stated that if he was a property owner on 5th Street that he wouldn't want the house to be sitting there like that. He added that if the exterior grounds were cleaned up that it would help.

Mr. Guendelsberger stated that he would be in agreement with Amanda to deny the appeal. He asked that in the event the insurance company never agrees with the difference what Ms. Thompson is prepared to do. Ms. Thompson stated that they have to come to some sort of an agreement whether that's the adjuster or the contractor. She stated that someone has to give because this is a bidding war. Mr. Guendelsberger stated that it is not a bidding war. He stated that the insurance company is going to give you a set amount of money and if you want to put more money into the repair that you would be responsible for that. He asked Ms. Thompson if she is prepared to put the difference in to achieve what she wants. Ms. Thompson stated yes. Mr. Guendelsberger asked why she hasn't moved forward and her response was because they are still in negotiations. Discussion back and forth was made at this time.

Ms. Thompson stated that she wants a date provided to her that something has to be done by or the City will demolish the structure.

Mr. Matthews asked if there is a way that the board can give her 3 months. Ms. McClain stated that if the board orders the demolition today it will be probably at least 3 months before we actually would do the demolition. Mr. Hayberger stated that it would have to go out for bid. Ms. McClain stated that we would have to do environmental reviews first then go out for bid then have to review the contractor bids then it would have to be approved by City Commission. She added that if the demolition were ordered today it would probably be at least 2 months if not 3 before the city would be able to bring the structure down.

Mr. Valli stated in other words Amanda is saying that Ms. Thompson can still do what she is trying to do if the board denies the appeal. Ms. Thompson asked if the demolition is ordered and then put out and the bids take two months and she has up until the day of demolition does that mean that she would lose any of the funds that the City already has. Mr. Hayberger and Ms. McClain stated no. Mr. Hayberger stated that if it goes over. Ms. McClain stated that if she demolishes it herself which is her option at the point that it's demolished she could ask for the \$27,000.00 to be released to you.

Mr. Guendelsberger made a motion to deny the appeal based on the fact that the structure is in the opinion of the building official damaged beyond 85%. Mr. Matthews seconded the motion. Ms. Johnson abstained. The motion carried unanimously. No comments at this time.

City of Sandusky Housing Appeals Board
January 8, 2019
Meeting Minutes

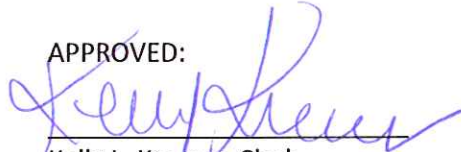
Page | 5

Ms. Thompson asked how she can obtain a copy of the minutes. Ms. McClain stated that the public records request can be filled out and is located in the Code Enforcement office. Ms. Kromer stated that they will not be approved until the next meeting.

There was no further business before the Board. A motion was made by Mr. Guendelsberger; the board voted unanimously to adjourn the meeting at 4:47 p.m.

Next meeting: January 29, 2019

APPROVED:


Kelly L. Kromer, Clerk


Mr. Frank Valli, Chairman