

City of Sandusky Housing Appeals Board
August 31, 2021
Meeting Minutes

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

The following members were present: Frank Valli, Walt Matthews, Allison Will, and Sharon Johnson.

City staff present: Stephen Rucker- Housing Manager, Dante Shipp – Code Compliance Inspector, Scott Thom- Building Official, Sarah Chiappone- Assistant Law Director, John Orzech- Assistant City Manager and Kelly Kromer- Clerk

Audience members sworn in by Kelly Kromer

Approval of minutes from the previous meeting: July 27, 2021

No comments. Ms. Johnson moved to approve the minutes; Ms. Will seconded the motion, which carried unanimously.

Old Business:

21-07 UPDATE-Floyd Matthews (Matt Pool LTD) is appealing the demolition of 1528 Columbus Ave., Sandusky, Ohio 44870. Parcel Number 57-04877.000

Mr. Shipp took to the podium and stated that the property was inspected 8/18/21. He stated that Scott and George were going to go do an inspection of the staircase. He stated that the bottom unit was cleaned out and the Health Dept. wants to go back next week to do an assessment per Mr. Shipp's conversation with Bob England.

Mr. Orzech introduced himself and stated that the property came into his radar this year and knows the property has been an issue for quite some time. He stated that it's not been in compliance for approx. 10 years from the timeline he reviewed from the data. He added that he wants to be responsive to the citizens but also to the property owner. He talked about the upset people in the neighborhood that have been dealing with the property. He spoke about the internal meeting after the last Housing Appeals Board Meeting. He stated that he has asked staff to keep this on old business to have an update and ensure timelines are being met to the board's satisfaction and to the citizens and at this point the Health Dept. has the necessary cleaning out of the lower unit so that an assessment can be made. He went on to explain that Scott Thom (Building Official) and George Poulos went out to the property and there is extensive issues with the outside stairwell that is a very problematic and could be detrimental to any resident living there and it has to be fixed before rehabilitation can take place. He stated that he believes the board has asked for the property owner to submit plans, to submit documentation on quotes from contractors that will be doing the work be it electrical, plumbing, HVAC to date none of that has been done. He added that there has been no documentation for the ability for the property owner to pay for the necessary rehabilitations. He wants to make sure the picture is clear and that there is some compliance that is taking place but there is also some compliance that has not taken place. He stated that he wants to make sure that the board is aware every month of what the issues are of what has been done and what hasn't been done. Mr. Orzech stated his concerns with the property.

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Ms. Will stated she read her packet over the weekend and that she wasn't at the last meeting. She asked how long they were granted time to have all of the things taken care of. Mr. Shipp stated that Mr. Matthews had to get insurance before the Health Dept. could proceed which he did get and now the Health Dept. has to do their assessment which was moved back to next week. Ms. Will asked if next month they will have the Health Dept. results and Mr. Shipp stated correct. She asked if there was a time period set up past once they receive the results. Mr. Shipp stated that he thinks it was 90 days. Ms. Kromer stated that there was no timeframe given. Mr. Shipp said he thinks the Health Dept. said their assessment would be 60 days. Ms. Will stated that normally the variance is given a certain amount of time.

Ms. Johnson asked if they are waiting on the Health Dept. for 60 days. Mr. Shipp said next week they will do the assessment and then that takes 60 days to get their findings. From what Mr. Shipp understands is that the City can't do much until we get the findings.

Mr. Orzech stated that the Health Dept. was originally 60-90 days and there was supposed to have been contractors that were going to do the electrical and the cost that are going to be incurred. He stated that those are some things that can take place that have not taken place yet. Ms. Johnson stated her concern about the timing and lack of information.

Ms. Will asked if it was specified that they were supposed to have a plan laid out. Ms. Kromer stated that it is listed in the packet and referenced to the meeting minutes from July 27, 2021 for the exact motion.

Mr. Matthews took to the podium and said that he understood it all wrong. He explained that he thought that the building official had to come out and inspect and give him a list of what they wanted fixed and then he get the estimate then he brings that to the city. He continued to explain the miscommunication. He stated that the issue hasn't been going on for 10 years and he hasn't heard anything. Ms. Johnson said you have waited 30 days and haven't got a list from the city as to what you have to fix. He said correct. He said he has been talking to the city guys all along. Mr. Thom said the Building Dept's responsibility is not to provide a list of what needs to be fixed, it's the property owner's job to have a design professional to go through the property and determine what needs to be fixed. He stated that it's not his job to make a punch list. Mr. Thom said he did find today that the stairway to the second floor will need to be brought up to compliance and there is no way they can allow it to be used in its current condition. He stated that the 2 units upstairs are uninhabitable at this point. Mr. Shipp said we could go back and provide a list but he's already at the demo stage.

Ms. Will stated that when she read the rehabilitation plan she didn't see a date as to when he is supposed to submit the plan. Mr. Rucker stated when we left the last meeting the board did not establish a deadline or timeframe. She feels there should be a timeframe. Ms. Johnson said the city was to monitor the progress. Ms. Will feels there needs to be a date, something definitive. Mr. Shipp said he will get the exact date of when the assessment will take place from Bob England. Ms. Johnson asked who at the City is supposed to be monitoring this. Mr. Orzech said to Ms. Will's point the board hasn't set a date and that's why we are here today.

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He said the board can set a date and the City can enforce it. Ms. Will stated that it is Mr. Matthews's responsibility to make the plan and not the City's. Mr. Orzech said that is correct. Ms. Will made further suggestions on how she feels the process could go with the board. Ms. Johnson stated that it seems the Health Dept. is holding things up. Mr. Rucker stated that the 60-90 days is for the assessment and the remediation. Ms. Will said the board can set a date. Further discussion was made back and forth regarding a time frame. Ms. Will said it would be on Mr. Matthews to provide the comprehensive plan.

Mr. Matthews said he will get them the plan. Ms. Johnson asked Mr. Orzech who the point person is for Mr. Matthews. Mr. Orzech stated that Scott Thom is the Building Official who he needs to submit the plan to. Attorney Mark Smith stated that a list of violations or punch list would be given to someone like Mr. Matthews because how is he supposed to know what items need to be remedied if the understanding is that he is supposed to hire someone to go through with a fine tooth comb, if there is a list of violations that need to be cured than that's what needs to be cured not reconstructing the building from top to bottom completely new or repairing what the violations are. He added that he needs to know what needs to be remedied. Ms. Will said over the year he has received notification of the violations. Mr. Smith asked Mr. Thom how Mr. Matthews is supposed to create a plan that meets the City's requirements if the City is not telling him what the requirements are.

Ms. Johnson asked where the list is. Ms. Will stated that there is a list in the packet that is dated back from 2010. Mr. Matthews said it's not accurate. Ms. Will explained the list and suggested giving the list to a contractor. Mr. Matthews explained the work that he has done over the years. Mr. Shipp said that he can go back in and determine what has been done as the write up was from other inspectors. Ms. Will asked if Mr. Matthews has any documentation of what he has done over the years. Mr. Matthews said that he has been having Mr. Shipp come out to look at it. Mr. Shipp said he is not allowed to do anything with the lead on the exterior.

Mr. Thom said a big help would be if he could get 3 estimates from licensed contractors to evaluate the properties separately and see what it would take to bring it up to current code compliance. He added that the drywall Mr. Matthews can do himself, the others he needs a contractor. Mr. Matthews said he would be glad to make an attempt to call but it doesn't mean they will come. Back and forth conversation was made with Mr. Matthews and Mr. Thom. Mr. Smith asked if it's the inspector's position that the entire property from top to bottom has to be up to current code. Mr. Thom said yes. Mr. Smith said does the City require that for every property inside the city limits. Mr. Thom said on this one it's in the demolition phase so it's at a point where it's substantially compromised and needs to be evaluated. Mr. Thom explained that it's not his position to evaluate rather it's the contractors. Mr. Thom said that the whole first floor is gutted out and Mr. Matthews said it's a hallway and a bathroom. They went back and forth on how much is gutted out. Mr. Smith feels there needs to be a punch list.

Mr. Orzech stated that we will contact Mr. Smith and the Building and Code Dept. will go out and make a list of everything that needs fixed and present it to Mr. Matthews and his

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attorney. He added that we are trying to work with Mr. Matthews and give him time but he also has to be cognizant of the residents that have had to endure this property. He said we will be happy to go above and beyond to make a list of everything that needs done in our opinion according to code and he will still have to come with a comprehensive plan and certified contractors to do the work.

Ms. Johnson said for future references they often get people coming up and they are not clear on what they need to do with the building, there has to be a clear list for these people to do.

Ms. Will said to keep in mind that they are at the demolition phase he has received numerous violations and every time he had time to get things done. Mr. Matthews said it's not that simple because Covid hit and people stopped paying rent and it made it more difficult for people. He stated that he needed the rent to get some of the stuff fixed. He added that the upstairs is finished. He stated that it's not fair to him. Ms. Johnson said there is a sheet from 2011 that says he was warned about lead in 2014 and had a few fail inspections.

Mr. Orzech said they will make every effort to get this resolved and have a list. Ms. Johnson asked what the time frame is. Mr. Orzech said they will set something up with them. He asked Mr. Matthews to coordinate with Mr. Shipp on a date and time in the next week or two. He said Mr. Thom is busy so there need to be a time that they all can be there. Ms. Johnson said do you feel comfortable with 30 days that they should have something substantial. Mr. Orzech said absolutely for us to get a list to them.

Ms. Johnson said in the meantime Mr. Matthews can get electricians and plumbers in the property for an estimate while waiting for the Health Dept. assessment.

Mr. Walt Matthews made a motion that Mr. Floyd Matthews has a plan for the electric and other things that are needed (comprehensive plan) in 30 days. Ms. Will seconded the motion. Ms. Will asked what the ramifications would be if Mr. Matthews doesn't submit a plan. Ms. Johnson said that then we have the Health Depts. hand in this and he can only do so much. She added that right now he can get this list from John and get the ball rolling on what Mr. Thom wants and should have all of the information while the Health Dept. is trying to get their part together. Ms. Johnson said she wants something substantial in 30 days. All in favor motion passed unanimously.

Ms. Johnson asked what cases are still open for follow-up. Ms. Kromer said 520 E. Jefferson and a year was given she believed but would have to check based on the contract. It will be back to the board April 2022

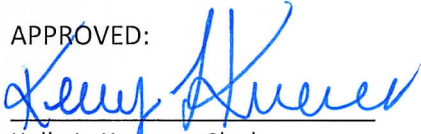
Next meeting September 28, 2021

There was no further business before the Board. A motion was made by Ms. Johnson and seconded by Mr. Matthews. The board voted unanimously to adjourn the meeting at 4:50pm


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APPROVED:



Kelly L. Kromer, Clerk



Mr. Frank Valli, Chairman