

City of Sandusky Housing Appeals Board  
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**The Chairman called the meeting to order at 4:00 p.m.**

The following members were present: Frank Valli, Allison Will, Janice Warner, Dana Gamblin, Gary Guendelsberger, 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, Ron Snyder-Code Compliance Inspector and Kelly Kromer- Clerk  
Teams Call: Brendan Heil-Law Director

Audience members sworn in by Kelly Kromer

**Approval of minutes from the previous meeting: September 28, 2021**

No comments. Ms. Johnson moved to approve the minutes; Ms. Warner 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***

Attorney Mark Smith on behalf of Mr. Matthews stated that Mr. Matthews has secured architectural plans for the stairwell. He added that he has received a quote and proposal for the construction and repair of the stairwell through Mitchell Construction in the amount of \$3300.00. He stated that he just received them before the meeting along with a quote from Great Lakes Electric for around \$2400.00 and Mr. Matthews provided a bank statement in the amount of \$40000.00 to accomplish these things. There is not an estimate for the lead abatement. He added that per Scott Thom the Stairwell was the main issue.

Mr. Smith said the board wanted a plan for the stairs and some estimates from contractors and a bank statement or letter from the bank of credit and they are there with those items for the board to review. Ms. Johnson asked for the paperwork as she didn't receive it. Mr. Smith said he just received it and Mr. Shipp is making copies of it now.

Ms. Johnson asked if it goes over \$40000.00. Mr. Smith said the estimates that they have placed it around 5k-6k. He said the plumbing has already been completed by a certified contractor. He said until the Health Dept. can get in and provide their assessment they wouldn't know what the exact cost would be.

Ms. Johnson asked if anything else has been done since they last met. Mr. Matthews said flooring, plumbing, electrical has all been done. Ms. Johnson asked if there was anything to add to this and Mr. Matthews said he has one more for the plumbing that he will have and it will all come in under the \$40000.00.

Mr. Smith said around \$3300.00 for the stairs, \$2400.00 for the electrical, and \$3100.00 for the plumbing leaving roughly \$31000.00 for lead abatement. Ms. Gamblin asked if the plumbing is done. Mr. Matthews said yes and the inspector has not been out to inspect. Mr.

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Thom said to date the only permit they have received is for electrical work and it was to put in new electrical panels and was not rewiring and no inspections have been done. A permit for plumbing is required. Ms. Johnson said the plumbing is done and they don't have a permit. Mr. Thom said the plumbing contractor would be responsible for scheduling the inspections when necessary. Mr. Thom said the contractor is a registered plumbing contractor in the City of Sandusky.

Mr. Guendelsberger asked Mr. Matthews if there has been electrical work done and Mr. Matthews said yes. Mr. Guendelsberger said there needs to be an inspection. Mr. Matthews said he has been calling him to get him back out. Mr. Guendelsberger asked what may have happened with the plumbing permit. Mr. Matthews said he didn't get it and he's not sure what happened as to why he didn't get it. Mr. Guendelsberger stated that the board wants to work with Mr. Matthews but he put the board in a situation when they learned that work that is supposed to be done subject to a permit isn't obtained and the work is already done.

Ms. Will asked if he needs a new electrical service. Mr. Thom said yes the scope of work was to put a new electrical service in. Mr. Thom said that any other rewiring would not be included.

Ms. Johnson asked Mr. Thom if he has been checking on the house periodically for inspection. Mr. Thom said by invitation only. Ms. Johnson asked if there has been any inspections since the last time they met and Mr. Thom said no.

Mr. Guendelsberger said that one of the interests from the City's standpoint was that the owner give an inspector the right to return and make inspections. He asked if there has been any from Code. Mr. Rucker responded no. Mr. Guendelsberger said that needs to happen and Ms. Johnson said it's part of the comprehensive plan. Mr. Guendelsberger said he doesn't know how they can go on in further discussion today without offering an extension. He said in all fairness to Mr. Matthews he has come in with some documentation indicating that he has funding available to do work, he has estimates for the work to be done, everything just has to be lined up correctly and everyone needs to understand that in order for it to work.

**Comments from the public:**

Mark Fog stated that he lives in the neighborhood and his concern as neighbors is that he has watched the last several meetings online and has seen extension after extension. He said that they have an eye sore in the middle of the neighborhood that is causing nothing but derogation to the neighborhood, property values to decrease. He said that they have heard nothing as to addressing the outside of the house which totally needs redone. He said they have lots of doubts as to what further extensions are going to do if work is being done even without permits and if it's not following the proper chain of command. He said that they are all held to a certain accountability on their own property and they feel that everyone should be held to the same accountability. He added that this isn't just a house that slipped into disrepair in the last couple of years, this house has been going down for years, years, and years. He said that nothing has been done to upgrade it or make it look like a solid decent piece of property. He stated that he doesn't mean any disrespect to anyone but if they are held to a certain level

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to keep their properties up to city code they feel others should be as well. He added that he had a water main break in front of his house and got a permit and spent \$10000.00 getting fixed. He said that this has been in disrepair long before Covid ever happened.

Mr. Matthews said it has not been a year and a half of sitting like it is. He said it's been in a bad position for about 7-8 months and the meeting is bringing all of it up to date. He said the outside is the only thing lacking and the contractors have not completely gave him all of the stuff. He said it will all be up to date and won't be much longer.

Ms. Gamblin asked how much longer. Mr. Matthews said the lead abatement is going to be the end. He said the inside is pretty much done. He said the outside is going to be the lead abatement. Ms. Gamblin said technically it's not considered done because there's only 1 permit and everything needs permit. He said he thought the contractors were going to get the permits.

Ms. Johnson said she is reading the comprehensive plan. She asked if he submitted his plans to the chief building official and did he give a written approval. Mr. Matthews said he was told to get licensed contractors. Ms. Johnson said someone has dropped the ball.

Mr. John Orzech introduced himself as the Assistant City Manager that oversees the Building and Code Department. He said that obviously the City has not failed to approve of or submit a comprehensive plan because one has not been submitted. The comprehensive plan with the stairwells, electric, and plumbing none of that has been done. He said that he doesn't want her to blame the City as Mr. Matthews and his attorney knew that. He said there was no permit pulled and the only reason the City was there was because neighbors called because there was activity there. He stated that the board has been very fair to Mr. Matthews but there is a lot of stuff that he is not doing that is not the City's fault.

Mr. Rucker said that Code Compliance will inspect post lead abatement. Mr. Rucker explained that some work can be done prior, during, and post lead abatement. He said that conversation needed to happen between Mr. Matthews and the contractors. Ms. Johnson said she was disappointed that the gentleman from the County didn't speak at the last meeting. Mr. Rucker said he can ensure that he is there at the next meeting. He added that the lead abatement is on hold because of the electrical, plumbing and some other issues that can be dealt with prior to the lead abatement. He said they have to have running water and a working bathroom before the contractor can come in. Mr. Orzech stated that he had a conversation with Mr. England and the stairwell issue has to be fixed before they will do the lead abatement because if the stairwell isn't fixed and they don't have access to the apartments that are upstairs than the project wouldn't be worth HUD funding.

Ms. Johnson asked about HUD funding stipulations. He said that Mr. Matthews is behind in taxes, water, sewer, and rental registration. Mr. Matthews said that is old and that he is paid in full. Ms. Gamblin said that if he doesn't qualify than HUD will let him know that.

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Mr. Richard Brady introduced himself as the President of the City Commission. He said that he spoke before the board approximately 3 months ago and would like to share a concept that we might be missing. He said that they might be getting off into the weeds talking about a lot of other things other than what is right before you. He said his point is that the board required Mr. Matthews to provide the board with 2 things: a comprehensive plan and a plan to rebuild the stairway. He stated that his question to the board is if you do not have that plan before you that is a non-starter and he believes you have to take action based on the failure to provide a comprehensive plan which this board requested and the failure to give you a detailed plan on how you're going to get in and out of the second floor because nothing is going to happen and no lead abatement as long as there is a life safety issue getting into the second floor but cycle back to the board requiring Mr. Matthews to provide a plan that you do not have. Mr. Guendelsberger stated that they have plumbing work that has been done, a registered plumber with the City knows he has an obligation to obtain a permit and ignored it or didn't obtain one yet the work was done. Mr. Brady said he couldn't agree more. Mr. Brady said he believes the board can take action based on those 2 items.

Mr. Guendelsberger said they have been generous in their attempt to work with Mr. Matthews and came in tonight that he has all of the work done with no permit he is not sure how they can go forward. Ms. Johnson added and with no comprehensive plan. Mr. Smith said that he would respectfully disagree with that as the board at the last meeting required Mr. Matthews to come in with a plan for the stairwell and he has provided an architectural drawing of the stairwell and estimates by contractors approved by the City, he has provided an electrical estimate, he hired a certified plumber that is registered with the City. Mr. Smith said there is no dispute according to Mr. Thom that it is the contractor's obligation to secure the permit not Mr. Matthews. He asked if the board is prepared to hold that against Mr. Matthews. He said Mr. Matthews has never refused access to anyone to his property.

Mr. Brendan Heil City Law Director clarified for the record that Mr. Smith made a statement that a comprehensive plan has been provided and he asked him to provide that documentation to support that, where is the comprehensive plan. Mr. Smith said that the board members are all holding copies of the plans and drawings for the stairwell as well as the contractors estimate to accomplish that as well as the estimate for the electrical (unable to clarify). Mr. Smith explained their understanding of the plan. Mr. Heil said he wanted to clarify one other thing that Mr. Smith stated and that was that it was stated that the licensed plumber may not have gotten a permit but is it your assertion to be clear for the record that, that is not the responsibility of the person hiring the plumber to get the permit? Mr. Smith said that is correct and that is also Mr. Thom's assertion also. Mr. Heil said he would like to clarify for the record and for the board that from a legal perspective that is inaccurate and it is ultimately the property owners responsibility to get the permit and if you contract that out to a licensed contractor you may have them do it but ultimately you are required to have them do that.

April Row property owner at 1524 Columbus Ave stated that its harassment with his property. She said, that she feels that he's doing the work and is over there every day. She said that there is a lack of communication on a lot of people's parts. She said that there are other properties

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next to her that have issues. She feels that he should be given more time. She explained that he had bad tenants that destroyed the house and he found out about it once they moved out. She explained a situation where a gentleman was walking by and noticed an open door and called the police. She felt that he should have walked around the house instead of calling the police.

Helen Thompson said she lives on Wayne St. behind 1528 Columbus Ave. for 70 years on and off. She said the property has been a blight and her mother used to complain about it. She added that there was a fire in the property at one time. She continued to explain that nothing substantial happens with the property. She stated that a plan is lacking. She said she gives him credit as he is trying to do something for the property however it's not realistic.

Gayle Matthews stated she is the owner of 1528 Columbus Ave. She said it has been rented out to metro housing for a few years off and on and if it wasn't legit the government wouldn't put any money into it every month. She stated that her husband has painted it several times. She said be realistic and be fair.

Floyd Matthews said that they are saying there is no plan but the inside is fixed and what they are complaining about is the outside. He said the outside is the lead abatement. He said the exterior will be recovered. Ms. Gamblin asked what the conversation was with the lead abatement people. Mr. Floyd said they were going to do the lead abatement but the building guys told them that they couldn't come out until they got all the violations fixed. Ms. Gamblin said she is understanding that there are certain violations that have to be done for the lead abatement to be done and then at that point the rest can be done. She asked if the lead abatement people and Code Enforcement people have had a meeting of the minds.

Ms. Warner said she made it perfectly clear what he was supposed to bring to the meeting. She said he was supposed to bring a comprehensive plan and something to show us how he was going to pay for it. Mr. Matthews said he did that. Ms. Warner said she's looking more for a comprehensive plan that would say everything that you're talking about. She added that the board doesn't know anything if it's not in the plan. Back and forth conversation was had between Ms. Gamblin and Ms. Matthews.

Ms. Johnson said she was still concerned about the wording in the comprehensive plan that they have had 30 days and 30 days have passes and how he comes up with the paperwork that the City has not seen until tonight and still probably hasn't seen. She added that the plan says it says it has to be approved by the chief building official in writing and they come in and inspect on a monthly basis. She added that it says building permits should be obtained. Mr. Matthews said he gave the board the paperwork when he got it. Ms. Johnson said the wording states your plan has to be approved by the City before you do any work in the house.

Ms. Gamblin said you have to bring that plan to the City and it was supposed to be here today and you did not do that. Mr. Heil said it is the final responsibility of the home owner...

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Mr. Smith said that he met with Mr. Matthews yesterday when he was on his way to Toledo to pick up the plans. He said Mr. Matthews got the drawings yesterday afternoon. He added that he has been working diligently on this.

Mr. Gamblin said the biggest thing is communication.

Ms. Johnson made a motion to give Mr. Matthews 30 more days to get a written approval from Mr. Thom. Ms. Will said that when it said comprehensive plan she doesn't think it just entails the stairway, electric panel, and the plumbing. She added that she's not sure what the repercussions are for not having a permit beforehand. She stated that she thinks there is a lot of missing pieces as the comprehensive plan was not put together beforehand by Mr. Matthews and that is what some of the problem has been. Motion died for lack of second

Ms. Johnson said there is no other option but to demolish it. She said the problem she is having is he has already started the work before it was okayed to do so.

Ms. Johnson made a motion to demolish 1528 Columbus Ave. Ms. Warner seconded the motion. Roll call was taken. Mr. Valli: Yes, Ms. Warner: Yes, Ms. Gamblin: Yes, Mr. Guendelsberger: No, Ms. Johnson: Yes, Ms. Will: Yes. Motion passed 5-1

***21-09 James Kimberlin is appealing the 2<sup>nd</sup> Administrative Penalty for 13 Catalina Dr., Sandusky, Ohio 44870. Parcel Number 57-03926.000***

Jim Kimberlin asked if Ron and Kelly got emails today. Both let him know that they did not receive an email from him, however they will check. He said he has a rental agreement with Universal Rental to get the barge.

Kelly Kromer placed upon the record the quote from Universal Rental for the barge rental.

He stated that he has painted the door and repaired the door on the bottom.

Kelly Kromer placed upon the record the pictures Mr. Kimberlin provided.

He said he will finish repairing the door once the barge is available and paint the back of the boat house. Ms. Will asked if he meant the exterior. He said yes, the corrugated steel. He said he thinks he could get it started as soon as next week.

Ms. Johnson asked if he was waiting on a garage door. He stated that he was not as it would take 5-6 months. He said he will be repairing the wooded door that is there already.

Ms. Johnson asked if Mr. Snyder has inspected this since the last meeting. He said he has not. He said he put it on hold until he brought in the documentation that the board required him to provide. Mr. Snyder said he was under the impression that he was here for the appeal of the \$500.00 second penalty.

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Ms. Gamblin said he has done what the board asked him to do.

Ms. Gamblin made a motion to wave the \$500.00 administrative penalty. Ms. Warner Seconded the motion. Roll call was taken. Mr. Valli: Yes, Ms. Warner: Yes, Ms. Gamblin: Yes, Mr. Guendelsberger: yes, Ms. Johnson: Yes, Ms. Will: Yes. Motion passed 6-0

Mr. Snyder asked if there will be a time element on Mr. Kimberlin for this. Mr. Kimberlin said he can notify Mr. Snyder when he able to work on it. Mr. Snyder said that works for him as well.

**New Business:**

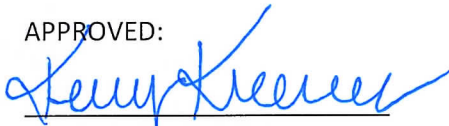
- 1. 21-10 Kevin Brownell is appealing the 2<sup>nd</sup> administrative penalty for 14 Catalina Dr., Sandusky, Ohio 44870. Parcel Number 57-01742.000**

Moved to November meeting do to a conflict on Mr. Brownell's behalf.

Next meeting November 30, 2021

**There was no further business before the Board. A motion was made by Ms. Gamblin and seconded by Mr. Guendelsberger. The board voted unanimously to adjourn the meeting at 5:15pm**

APPROVED:



Kelly L. Kromer, Clerk



Mr. Frank Valli, Chairman