

Chairman Dana Gamblin called the meeting to order.

Members present: Gary Guendelsberger, Dana Gamblin, Walt Matthews, Sharon Johnson, Allison Will

Members absent: Janice Warner

Staff present: Steve Rucker, Housing Manager; Scott Thom, Chief Building Official; Ron Snyder, Code Compliance Inspector; Brendan Heil, Law Director.

Those wishing to give testimony were sworn in by Steve Rucker.

APPROVAL OF MINUTES

No comments. **Upon motion of Mr. Matthews and second of Mr. Guendelsberger, the members voted to approve the minutes of the May 31, 2022 meeting. The board voted unanimously to approve the minutes from the May 31, 2022 meeting.**

OLD BUSINESS

- **21-06 REVIEW OF VARIANCE – Charles Kraisner is appealing the demolition of 520 E. Jefferson Street, Sandusky, Ohio 44870. Parcel Number 56-00555.000**

Ron Snyder, Code Compliance Inspector shared that this project had begun prior to him starting in Code Compliance. He added that Mr. Kraisner had previously presented to the board and the board had recommended that Mr. Kraisner bring in financial assurance that he could complete the project. He shared that he had gone with Mr. Thom had visited the property. Mr. Kraisner and his contractor were present. They took a number of photos on that day and all were in agreement with the comprehensive plan in order to start the work at this property. Mr. Snyder was unable to show the comparison photos due to the PowerPoint not working. He added that on May 6, 2022 he had visited the property. Mr. Kraisner and his contractor have completely gutted the structure and have started applying drywall, outlining rooms, raised the ceiling in the kitchen area. So work has been ongoing. Mr. Snyder shared photos with the board members that show updates that have occurred since Mr. Kraisner was last in front of the board. Ms. Johnson asked Mr. Snyder if he was satisfied as to how this was moving along. Mr. Snyder shared that he does not believe that the last time Mr. Kraisner was in front of the board that they had given him a deadline. Mr. Snyder shared that he had conversed with Mr. Kraisner and he indicated that no timeline had been given by the board. He added that progress has been made. He added that he is not a contractor so he cannot determine if work should be done by now or not. Mr. Snyder shared that his primary responsibility is making sure progress is being made. Ms. Johnson asked Mr. Snyder if there has been a lot of progress or a little bit of progress. She went on to ask how Mr. Snyder would rate this on a 1 to 10 progress with 10 being the best. Mr. Snyder was able to show photos on the PowerPoint which showed photos from July 13, 2021,

right after the board had convened and a comprehensive plan was granted. Mr. Snyder then showed photos from April 6, 2022 which showed clean-up progress. Ms. Will asked to be reminded the reason this was coming back in front of the board. Mr. Snyder said after a certain amount of time it need to be reviewed to make sure progress was being made and this project was ongoing. Mr. Rucker added that it was originally a demo order. Ms. Will asked if this was a multifamily unit. It was shared that it was a single family. Ms. Gamblin asked if Mr. Kraisner was making progress but is it up to code compliance. Mr. Snyder shared that there is nothing right now that is in compliance as there are no dressings on the wall, electricity still needs to be rerun, etc... Because this property is not occupied, the timetable falls upon the contractor. Mr. Snyder shared that they look at progress. He added that there is a lot of work to be done, but work is being done. Mr. Thom shared that he has had numerous contractors tell him that they have had numerous supply chain and employee problems which creates significant delays on projects. This has been an ongoing issue for contractors. Ms. Gamblin asked if they are going to be in 2025 and looking back and this project is still not done as this project started back in 2019 and work started in 2021. She added that work is being done, but asked if this is something that is going to have to be revisited in 2025 that is still looking as it is. Mr. Thom added that if the board would like to set a deadline that would be their decision. Ms. Will asked if there was outside work as well. Mr. Snyder shared that there are some aesthetic issues that will need to be addressed. He added that he felt the severity of the damage was caused by the fire so the priority level is being handled at this point. Ms. Will asked if for neighbor's sake, progress is being made inside, but what about the neighborhood and aesthetics. Mr. Guendelsberger shared that he believed the paperwork they were looking for was from the meeting in July of 2021 which he believes specifies the terms of the arrangement was then. Paul Kovach, PMK Properties, contractor, shared that they demoed 75% of what was not already demoed. He added that all of the mechanicals are done. They put up 50 sheets of drywall over the last couple of weeks. They are finishing the kitchen. They decided to change the stairway layout so they need to alterations of the second floor to put the stairwell in. He added they are putting everything back together now. He added that as of last July, it was his understanding that the house was condemned because there was a percentage that was unfinished. He feels they are way past that percentage and 75% past putting it back together, exceeding the point of where it would be condemned. They have done a good deal of alterations that was already there. Mr. Guendelsberger asked if there have been follow-ups through the city as far as what progress has been made. Mr. Kovach believes the city has stopped by over the past eight or nine months, a good three or four times. Mr. Snyder concurred and said that progress was being made. Mr. Guendelsberger asked what the likelihood was of the project timeframe. Mr. Kovach answered that they should have all of the drywall finished in the next week or so. They are trying to get a taper. Windows are coming in in mid-July, hopefully, as there is an eight or 10 week lead time. Mr. Guendelsberger asked Mr. Kovach if this is something that can be accomplished, if things go well, in the next six months. Mr.

Kovach said yes, but added that it is a 100 year old house so some of the work becomes twice the amount of work that was originally thought. Mr. Guendelsberger added that he feels a timeframe needs to be established. Mr. Rucker shared information from the July meeting. He shared that the contractor gave an estimated start time of September of 2021. From that start date the board gave them one year along with the comprehensive rehabilitation plan that was to be approved by the chief building official. Ms. Will asked if the comprehensive rehabilitation plan was approved, to which Mr. Thom responded that it was approved. Ms. Gamblin clarified that it was for one year from September 2021 to which they are approaching one year and the contractor is asking for six months. Ms. Johnson asked if there was any electrical and plumbing that needed to be done and is it all put in. Mr. Kovach shared that the electrical and plumbing work was minimal and was all done before the drywall was done. Mr. Kraisner, property owner, shared that he does not know when the house will be done but he would like the house completed to where he would be able to live in it. He would like it to be a nice house that anyone would want. He added he would like it to make it family and wheelchair accessible. Mr. Guendelsberger asked Mr. Rucker to clarify that the board, based on the July meeting minutes, was told the start date would be September 2021, no specific day in September, and the board gave one year for completion from the estimated start date. Mr. Guendelsberger added that his take would be for the one year to be reached, so September 2022, and then six months beyond that. He added it would not be a hard deadline, but they could get together again if needed and go from there. It would give time for them to work on the house and give the board assurance that it is going to be done as soon as possible. Mr. Kovach asked what the definition of complete is. Ms. Will for her, said the neighborhood aesthetics is important. She added a year and one half is enough time for a house to be completed. Mr. Kovach asked if the definition of completed is finished, done, sold. Mr. Guendelsberger said to be able to be occupied. Ms. Gamblin added that as already indicated, to make it a nice house. Ms. Gamblin added that as already indicated they will give them until September 2022 and six months additional. If more time is needed and progress is showing that more time is needed, the board would be willing to work with them. Chris Fanning asked if they list the house for sale and someone wants to buy it mid-construction and they finish the construction, would they be able to sell it. Ms. Gamblin shared that as long as it passes inspection, what they choose to do with their property is their property. Ms. Fanning asked if the property is still listed as condemned. Ms. Gamblin shared that as of right now until the inspectors tell them something different. Ms. Fanning asked if they could set up a meeting with the inspectors to inspect the house. Ms. Gamblin said yes. Ms. Johnson shared if they are going to give them six more months, she does not have problem with that. However, when they get into the six months, she would like to see them back after three months to share progress report with the board. Ms. Gamblin shared that is why they were giving them six months. Ms. Johnson added she would like something half way as well. Ms. Gamblin said the inspectors can keep them apprised. Ms. Gamblin asked for a motion.

Mr. Rucker said a motion is not needed as they board is reviewing the variance that was granted from the July 2021 meeting. Mr. Rucker asked if they would like Mr. Kraisner to come back in September before they add the six months. Mr. Matthews asked if it could be added today. Mr. Rucker said it could be added by a motion. If they are only reviewing the variance and letting it ride out until September and then they come back in September, then can make a motion for an additional six months based on their progress. Mr. Guendelsberger shared that based on Mr. Rucker's explanation, he feels it would be beset to allow the current timeframe to extinguish itself and have them come back in September. Ms. Fanning asked if they are no longer listed as condemned in September if they need to come back in six months. Ms. Gamblin said that would not be addressed until they are back in September. Mr. Kovach asked where they need to be to be out of the Housing Appeals Board. Mr. Snyder shared the condemnation was put in place because of the structural integrity. He added that prior to the September board meeting they can get with Mr. Thom, they will come over, take pictures and they will come back and present to the board.

- **1206 Milan Road, Sandusky, Ohio 44870 – Franz Kistler – Update to demo order. Parcel Number 57-02475.000**

Ron Snyder, Code Compliance Officer, shared that the board had ruled in favor of a \$100 penalty on this property. He added based on previous minutes, Mr. Guendelsberger had asked if they board was going to ding the owner for this garage or if there was another alternative measure. He went on to add that on October 5, 2021, he had received this complaint in regards to the condition of the garage. On October 7 he confirmed the complaint was valid. Owners were sent a notice. He also spoke with the owner who indicated they did not have any money to address the documented issues. Ms. Johnson asked if the owners were presented. Mr. Snyder said they were not as this item was suggested after the packets went out and after the point of the letters for them to go. This is to let the board know the status of the garage. Mr. Snyder shared that on February 22, 2022, after the Housing Appeals Board convened, heard evidence and denied the appeal, he spoke with Mr. and Mrs. Kistler. They indicated they would like to save the garage. Mr. Snyder encouraged them to keep him apprised of any contractors they may retain or any plan of action. On February 28, 2022, Mr. Snyder made the next inspection date of May 4, 2022. A courtesy letter was sent. On April 13, 2022, there was no change to the property and no communication had been received from the Kistlers. On May 4, 2022, no change to the property was noted. Plans moving forward on the matter had stalled by the Kistlers. Mr. Snyder said he did have a conversation with Mrs. Kistler and she felt maybe a demo would be appropriate. He went on to add that he spoke with Mr. Rucker about pursuing a search warrant and having a structural integrity assessment done for potential demo. On May 26, 2022, a search warrant was prepared and signed. Mr. Snyder met Mr. Thom, chief building official, and Officer Ronte Hill-Morton at the address. They made contact with Mrs. Kistler. The assessment was done and came up with 85.56% of deterioration. Mr. Snyder

is in process of pursuing the demolition letters. A lien search has been completed. The next step is to prepare the letters and send them to those who are financially interested within this property. If no rebuttals are received, it will go to Planning and Development to schedule asbestos testing and then for a final demolition of the property. Ms. Johnson asked if there were liens on the property. Mr. Snyder said there are liens on the property. Ms. Johnson asked how many. Mr. Snyder said he would have to get the lien report and take a look. He added he believed there were six or seven financial institutions interested besides Erie County Office of Taxation. Ms. Gamblin shared that since this was just an update, there was nothing to vote on.

NEW BUSINESS

- **22-06 Kathy Friebis is appealing the 1st Administrative Penalty for 1315 Shelby Street, Sandusky, Ohio 44870 Parcel Number 58-02935.000**

Ron Snyder, Code Compliance Officer, provided information regarding the garage at 1315 Shelby Street. He shared that on January 31, 2022, while in the alley-way, this property was one of four in which violations were noted. He added that the structure lacked gutters and downspouts. He added that he wrote up a notice of violations letter and sent it to the property owner according to the auditor's website. He shared that there was a slight discrepancy with the mailing address. On February 3, 2022, the office received both the certified letter and certificate of mail letter back indicating that the address the mail was sent to was not a good address and listed the correct address. To ensure that the property owner received the proper correspondence, both letters were then placed in a larger envelope with a letter explaining to the property owner what the discrepancy was and was sent certified and certificate of mail. On February 25, 2022, MS. Friebis contacted Mr. Snyder after receiving the correspondence. They discussed the gutter and downspout issue on her garage. She shared concerns about the weather and her ability to reach compliance. Mr. Snyder shared that Ms. Friebis was optimistic about reaching compliance but felt it would not be able to be accomplished until the weather changed. Mr. Snyder shared that after their conversation it was agreed to extend the timeframe for Ms. Friebis. The next inspection was schedule on May 5, 2022 and there were no changes noted – no gutters and no downspouts were installed. Mr. Snyder indicated that he did talk with Ms. Friebis and she had spoken to someone about doing the work. As a result, an administrative penalty for \$100.00 was administered. On June 9, 2022, Mr. Snyder noted that the gutters and downspouts had been installed. Catherine Friebis, 3701 Scottley Drive, Sandusky, shared information regarding the discrepancy in the mailing address. She was previously living in Florida and moved back, neglecting to change her address here. In regards to the contractor, the contractor was extended out and unable to get it done in the timeframe, but ended up having to reach out to another contractor to get it completed. **Ms. Will made a motion to waive the \$100.00 administrative penalty. Mr. Guendelsberger seconded the motion.**

Mr. Meinzer, 413 Cove Street, asked to speak prior to the roll call being taken. He

shared his background with the housing nuisance task force and previously served on this board. He referenced the recent testimony and the comment “patrolling an alley and noticed no gutters.” Mr. Meinzer asked if they knew why the housing nuisance task force was formed. He went on to add that he has vacation rentals and people drive to this city and say is it safe here. He added that it feels like he just drove through Lima or Dayton. Which is why the initiative started to create all of this. He shared that the recent testimony was frustrating to listen to. He added that he brought a couple of commissioners and there’s more commissioners. He went on that they cannot manage the day-to-day functions of the housing department with a city manager in charge, but they can defund it. He added that if he keeps listening to this he is going to defund it because the budget allocations are coming up and he is tired of listening to it. Ms. Johnson asked Mr. Meinzer what is point is. Mr. Meinzer shared that this housing nuisance task force or code compliance is patrolling alleys looking for the big nuisance in the neighborhood. He asked if that is the biggest thing we have in Sandusky. He added that when he ran, he said in three years he was going to work on housing and neighborhoods and it still looks like Dayton and Tiffin and it’s not gutters and downspouts. Ms. Johnson said that that is part of it. Ms. Will asked for clarification from Mr. Meinzer. Mr. Meinzer said that this department needs to be defunded or run correctly.

Roll Call: Ms. Will – yes; Mr. Guendelsberger – yes; Ms. Gamblin – yes; Mr. Mathews – yes; Ms. Johnson – yes. Motion passed.

Mr. Guendelsberger addressed the city commissioners in the room and shared that they have the power to vote people off of boards and if they are not happy with what is going on they should act. Ms. Gamblin added that when the board was assembled she was told it was doing one thing. She added that if there was something that the commissioners wanted the board to do, commissioners can go to Mr. Rucker to set up a meeting with the board to discuss what they would like the board do. Mr. Meinzer shared that he gets calls from constituents and spends hours every day listening and trying to solve problems and most are with code compliance. He clarified that he does not think there is something wrong with the board. He added that there is something wrong with the process and he intends to fix it. Ms. Gamblin asked Mr. Meinzer to bring his concerns in an outline and proposal to the board so they can work on it. Ms. Friebis added that she was initially upset but after talking with Mr. Snyder, he explained how he was back there on another issue and you cannot write-up one and not others with violations. She added that her neighbors now have gutters and the water problem between the houses is now gone. She added that she was treated fairly and listened to.

- **22-07 Dale & Bess Meyers are appealing the housing write-up for 1115 Waverly Road, Sandusky, Ohio 44870 Parcel Number 57-02820.000**

Ron Snyder, Code Compliance Officer, shared that on May 13, 2022 he had received correspondence from a family member to a family member that lives at 1121 Waverly. He had initially been at their property and issues were brought up from Mrs. Meyers and he went to address them. One of the issues at 1121 Waverly that they were written up for was railings on stairs. As indicated in the email, the family member asked if the residence in which their family owns has to have a railing up for the stairs, why not the residence at 1115 Waverly. On May 16, 2022, Mr. Snyder checked at 1115 Waverly and there were no railings on the east side of the front porch which was noted to have five risers. There was also a set of steps, no railing on the south side of the front porch, noted to have four risers. Mr. Snyder shared that Mrs. Meyers had stepped out onto the boulevard and spoke with him about this complaint. He added that Mrs. Meyers shared with him that they were grandfathered and did not need the railings. She indicated that someone from the building department told them they were not required. Mr. Snyder told Mrs. Meyers that he would look into it. Mr. Snyder shared that he talked with the building department. The administrative assistant said there was nothing in file. Mr. Snyder also checked with planning and development to see if there was a variance granted to the property and there was nothing in the computer nor was there anything in the archives. The assistant building inspectors provided a document from the 2019 Residential Code of Ohio – Chapter 300 Section 311.7.8 “Handrails,” which stated that “Handrails shall be provided on not less than one side of each flight of stairs with four (4) or more risers.” Mr. Snyder shared photos of the residence from May 17, 2022 and the letters that were sent to the property owner. Mr. Snyder shared that the property owner did have the assistant building inspector come out to the residence. Mr. Snyder shared that the property owner is appealing the write-up and there was no administrative penalty rendered in this matter. Mr. Matthews asked if other houses in the area had railings. Mr. Snyder said this is something Mrs. Meyers alluded to when she and her husband came into the office. Mr. Rucker informed them that if they wanted to provide addresses, code compliance would go out and look at them. To date, Mrs. Meyers had not provided any addresses. Ms. Gamblin clarified that when a residence is written up for lack of handrails they are given a timeframe to correct the violation. Mr. Snyder shared that they were given 30 days. Their next inspection would have been June 17, 2022, but due to them filing an appeal, there is no action until after the appeals board renders a decision. Ms. Johnson asked if this is a write-up. Mr. Snyder said the Meyers are appealing the actual write-up. An administrative penalty would come in after the initial 30 days depending upon any variables. Bess Meyers, shared they put a lot of time and money into the house. Mrs. Meyers referenced others homes on her street that have character and lack railings. She added that when you do a railing you are taking away from the character of the house. Mrs. Meyers shared that the reason she called Mr. Snyder clarified that she is not prejudiced or against handicapped. When the person purchased the house next door, they turned it into a handicapped facility

and brought in a soothing dog. She shared that the dog has been loose and they had to call the police and dog warden. She went on to include that there are issues between the neighbor and them due to the shared driveway. Mrs. Meyers added that she reached out to Mr. Snyder to file a complaint against her neighbor due to peeling paint on the garage, the vent from the dryer and items coming from the vent which could be a fire hazard. She added after she filed the complaint a week and one half later Mr. Snyder was back taking pictures. She shared that Mr. Snyder pulled up and said the neighbor was not going to put a railing up unless they put a railing up. She added that she was never in violation for three and a half years but was not in violation today. She indicated that she told Mr. Snyder that she was not putting a railing up because she was not in violation. Ms. Gamblin clarified that Mrs. Meyers reached out to code compliance to file a complaint on their neighbor and it reversed itself. Mrs. Meyers said Mr. Snyder has knowledge of the people and knows the people and thinks it was a conflict of an interest. Mrs. Meyers shared that she will not give addresses for other houses that are in violation for lacking handrails. She asked why she is being subject to the violation. Mr. Snyder shared that a complaint was rendered via email in regards to the residence not having railings on the steps. Ms. Gamblin added that codes change over time. Mrs. Meyers asked if she had never made the phone call if she would have been in violation, to which Ms. Gamblin said she was not sure. Ms. Gamblin added that the board cannot tell Mr. Snyder to take away the violation. She added that they were given 30 days to follow through. If they do not follow through then they will need to come back regarding an administrative penalty. Mr. Meyers shared that the property went through two building inspections. In 2018, during the first work, Mr. Meyers shared he approached the building department about a permit to which he was told he did not need a permit. He went on to add that in 1955 the state legislature exempted one and two and three family dwellings back then. Mr. Poggiali asked about a process for a variance. Ms. Gamblin shared that a variance goes through zoning. Mr. Poggiali suggested that the property owner go through the variance process. Ms. Gamblin shared that she cannot tell the property owner what their next steps should be, only what the board is able and not able to do. Mr. Meyers asked if anyone is able to make a complaint even if they do not live in the city. Mr. Rucker shared that you do not have to be a citizen of the city to file a complaint, in regards to housing and nuisance. If someone calls in a complaint, code compliance is required to follow up on it. Mr. Meyers asked for clarification that he will need to come back and eventually go to the building department for a variance. Ms. Gamblin shared that the Housing Appeals Board cannot stop the write-up. She added that Mr. Poggiali suggested to start with the Zoning Department. Mr. Heil shared that this is a code violation and does not deal with zoning. He added that there is the authority under the Sandusky City Ordinances for this board to extend timelines for compliance. He went on to add that he is paraphrasing, but there is the ability of the board to grant variances where there would be a hardship of the very literal interpretation of the building or applicable codes that the board is for. Ms. Gamblin shared that she would like to table this issue and have a discussion with

the Law Department. Ms. Johnson said that it is clear that the property owner needs a railing and they should not need a variance. Mr. Meyers asked that Mr. Meinzer speak on their behalf. Mr. Meinzer shared that he spoke with Mr. and Mrs. Meyers. He added that we want to attract people to move here. He does not believe that code compliance was created to run people out. Mr. Meinzer shared a previous experience with the building department. He added that the railing should be a suggestion. Mr. Matthews added that the board does not make the code but only enforces it. Mr. Guendelsberger shared that section 311.71.8, the language was there for a reason. It wouldn't be there if it wasn't there as a safeguard.

Mr. Guendelsberger made a motion to table this issue for one meeting, return and re-discuss it. Mr. Matthews seconded the motion. Roll call: Mr. Guendelsberger – yes; Mr. Matthews – yes; Ms. Gamblin – yes; Ms. Johnson – yes. The motion passed.

ADJOURNMENT

Mr. Guendelsberger made a motion to adjourn the meeting. Mr. Matthews seconded the motion. All members voted in favor and the meeting was adjourned.

**NEXT MEETING:
July 26, 2022**

**Attest: Stephen Rucker
Housing Manager**

Date:

**Dana Gamblin
Chairperson**

Date: