

**Chairperson Dana Gamblin called the meeting to order.**

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

**Members absent:** Janice Warner, Don Sharrah

**Staff present:** Steve Rucker, Housing Manager; Treka Parker, Clerk; Ron Snyder, Code Officer, Brendan Heil, Law Director (Online)

**Madam Chairperson Dana Gamblin called the meeting to order.**

### **APPROVAL OF MINUTES**

Upon motion of Ms. Allison Will and second of Ms. Johnson, the members voted to approve the minutes of the July 26, 2022 meeting. The board voted unanimously to approve the minutes from the July 26, 2022.

Steve Rucker swore in witnesses.

### **OLD BUSINESS**

- 2022-07 Dale & Bess Meyers are appealing the housing write-up for 1115 Waverly Road, Sandusky, Ohio 44870 Parcel Number 57-02820.000

**Ms. Gamblin** the last time that we were here we were discussing in the regards to the railing that need to put on the premises; so, I don't know if the Meyers got back with the inspector or is the inspector is here to go over this with us. **Dale Meyers** from the last conversation this was tabled and in my conversations with the State Board in Columbus – **Ms. Gamblin** give us your name. **Dale Meyers** the last it was tabled; The city attorney said he wanted to discuss items with you; in my conversations since I contacted the state board of building in Columbus and as I stated before this house was in 1927 and it falls under that building code never had railings for 95 years they told me that sets a precedence; and also that even though we had work done on the front porch seeing that there was no building permit issued and never inspected they considered that as just normal work and it should not fall under the preview of having to put a railing up because in 2006 they adopted those codes for new construction and seeing that this was not building permitted or inspected they said it did not fall under that preview it should fall under the rules of 1927. **Allison Will** So **Dale Meyers** you either have a choice of either dismissing this or giving me a variance. One or the other. **Allison Will** do we have anything from the law? **Steve Rucker** so which, no the only thing you have from the law director is what he stated and basically it's within your boundaries as far as the variance is concerned **Sharon Johnson** Mr. Rucker can you put your mic

down? **Mr. Rucker** no problem. **Mr. Rucker** In respect to safety and I believe the language that you have (can I get a copy can I get Walt's copy? actually **Allison Will** so they didn't issue any kind of opinion on **Steve Rucker** there was no opinion from the law department as far as one way or the other and they would never give you those guidelines; basically it's what we have in our ordinance that states that an undue hardship must be proven and the applicable language that you should review and rely is from the following section any variance granted should still follow the little literal provisions of this chapter with respect to sanitation safety and rehab. **Dale Meyers** well even in the state said that it shouldn't be at all period. I should not be forced to update it being like they said in the state; then you'd have to go around and get all of the houses that don't have railings on them. **Mr. Guedelberger** who did you speak with? **Dale Meyers** I spoke with – I spoke to a Mr. Robert Johnson. **Mr. Guendelberger** do you have anything documented? **Dale Meyers** documented conversation over the phone. **Mr. Guendelberger** it would have helped to have something documented and dated with an opinion, I think. **Dale Meyers** yeah there's a lot of things but I talked to him I have his phone number. **Mr. Guendelberger** what can you tell me what exactly you did to the to **Dale Meyers** I didn't do anything I removed the brick façade on the front bricks steps that were deteriorated replaced them with concrete to make it that was it **Mr. Guendelberger** so you're telling us that no code will ever apply to that property for any improvement that's made? **Dale Meyers** that's what the state is telling me. You can't for even though they have they updated the codes in 2006 doesn't mean that you can come back and force these codes because they're only for new constructions. **Mr. Guendelberger** umm ok. **Dale Meyers** and seeing that was not permanent wasn't inspected they consider that not new construction so that would fall under the preview of the 1927 law building codes that this house would build on which the state exempted one, two, three family dwellings. **Mr. Guendelberger** again I think it would have been helpful to have that documentation as well as just something to refer to we have nothing to refer to **Mr. Matthews** right. **Dale Meyers** so just like they said down there really if there is a building code on you don't need a complaint to enforce it. **Mr. Guendelberger** I just think we should have it table this matter and have him come back **Dale Meyers** what you're doing he basically told me what you're doing is singling out people well and that's what I'm saying if you're going to **Ms. Gamblin** stop first of all sir that's heresay again you're telling us something that he's telling you and you're saying that he's telling you since your house was built in 1927. **Dale Meyers** it was built in 1927! **Ms. Gamblin** I'm not done. I'm not arguing with you that it wasn't build in 1927. I'm just saying that for those statues that he is stating to you it would have been a lot helpful and that's what the Board is saying if you would have gotten from the gentleman for us to see. We're not singling you out so please don't take it as that but there are (in audible comments from Mrs. Meyers) code enforcements things that have to be enforced. I'm sorry. **Dale Meyers** well we'll see. All I'm saying is you have a choice to dismiss it or building or give me a variance. **Mr. Rucker** those aren't your only choices **Ms. Johnson** sir why would we give you a variance? The variance is only permitted on

hardship cases **Mr. Guendelberger** Right. **Ms. Johnson** what is the hardship here? **Mr. Meyers** the hardship is that you're not following this house was built in 1927. You're forcing me a code that was developed in 2006 and 2009. **Ms. Johnson** can you afford to put railings on the house sir? **Mr. Meyers** I don't have to put railings on ma'am. If it comes to that fine. I'll go see my attorney and we'll haggle this out in court. **Ms. Johnson** is the attorney online here that he could give us some advice here? I would think the attorney dis some homework on this. **Brendan Heil** I'm available Ms. Johnson remotely. I apologize for not being there in-person but I'm under the weather today. What is the specific question you're asking Ms. Johnson? **Ms. Johnson** Well I'm concerned because this gentleman doesn't want to put railings in because he's claiming he's grandfathered in and we've been telling all these people in town to put railings, whether you're how whether the house is 50 years old, two years old or what it is what is your slant on this? I'm sure that you saw this coming up. You know this is a problem. Did you do some homework on this? **Mr. Heil** Well I can't answer the question of whether or not you the ultimate question before the Board that's up to you all and I also can't answer if what the gentleman is presenting is legally correct because I have no idea what he's referring to. Because as the Board is pointing out we have no documentation, no evidence, nothing to support his statement other than his statements that he spoke to a building official from somewhere **Mr. Meyers** from the State of Ohio! **Mr. Heil** um and I think what we're actually presented with here is a decision. Our Code division has cited the individual for not having railings because there was new construction done to the steps and therefore certain codes applies. What we have presented. The applicant has presented his own evidence and he would argue that it's not applicable. It's up to the Board to decide and you can you have multiple options. You can grant a variance , you can uphold the citation, or actually those are your only two real options. You either have to grant a variance or uphold the citation. **Ms. Gamblin** Okay. **Mr. Heil** I can't tell you how to rule on a case. **Ms. Gamblin** No, that's fine. So that's what we're gonna do at this point. Before we make a decision, does the inspector have anything that he would like to say at this time? **Officer Snyder** Other than the fact is in a lot of matters the State can't set guidelines for this sort of thing. However, a City will always have ordinances that will parallel State Guidelines. The City can turn around and exceed and set their own penalties. They just can't take away from what the state says. They can add to it. They can't take away from it. **Ms. Johnson** Okay, in the State -are you saying the state says that we have to have railings whether it's **Officer Snyder** No. **Ms. Johnson** whether it's two years old or 50 years old? **Officer Snyder** Umm go ahead I'm sorry **Mr. Rucker** What he's saying is the state sets a minimum standard. You as a municipality have the ability to either be equal to the state ordinance or the state regulation or you can be more strict. You can't be less strict than what the state calls for. **Ms. Johnson** What is the ordinance calling for? **Mr. Rucker** Well our ordinance states as he's been cited based on the measurements that a railings is required. That's why the citation was written or the violation notice was cited. **Ms. Gamblin** So **Ms. Johnson** Thank you. **Ms. Gamblin** at this time we will decide. I need to

know what is the Board's take on are we upholding or are we granting a variant? **Mr. Meyers** Well excuse me but that was incorrect. It's not new construction. It wasn't building permitted. That's a misstatement right there. It wasn't building permitted or it wasn't inspected. **Ms. Gamblin** Well today, Mr. Meyers okay go ahead Gary, **Mr. Guendelberger** excuse me. One, can someone answer the question under what circumstances is a building permit for a residence required? For what situations is a building permit required? Is it required to alter a means of egress? **Officer Snyder** Mr. Rash could you help us with that please? **Mr. Rash** For alter a means of egress, yes. **Mr. Guendelsberger** You've indicated that you have altered a means of egress. **Mr. Meyers** I didn't alter anything. I maintained it. **Mr. Guendelberger** You changed it. **Mr. Meyers** I took off a brick façade that was over 100 years old **Mr. Guendelberger** Because **Mr. Meyers** that was unsafe **Mr. Guendelberger** It was unsafe **Mr. Meyers** I went to the building department asked him if I needed a building **Mr. Guendelberger** Again, again documentation, a date and signature **Mr. Meyers** 2018 I went to the building department. **Mr. Guendelberger** documentation with a signature and a date is key. You bring that in here to us. What do we have to go **Mr. Meyers** I'm sorry. You make your judgment, I'll go see my attorney. **Mr. Guendelberger** Okay. That's entirely up to you. **Ms. Johnson** That's fine. **Ms. Gamblin** Okay, so again what is the Board going to do? Are we upholding or are you granting the variance? **Mr. Matthews** Let's make a motion. **Ms. Johnson** I'll make a motion that we deny the appeal and he has to go ahead and get his railings put on. **Mr. Matthews** Second. **Ms. Gamblin** It's been moved and properly second. All in favor signify by saying aye. All aye and no opposed. **Ms. Gamblin** can you do a roll call? **Clerk Parker** Madam Chairperson Dana Gamblin Yes, chair Member Gary Guendelsberger Yes, CP Walt Matthews, Allison Will, I don't know if I'm speaking out of turn here so I'm undecided because I just don't I don't feel comfortable without seeing the variance looks like or I I don't even know. I just am a little uncomfortable. So, I'm sorry. I I didn't have the notes on this from previously. Can I abstain from **Ms. Johnson** So are you abstaining then or what are you doing? **Ms. Will** Yes, I guess that's. **Ms. Johnson** are you voting no or **Ms. Will** I'm I'm abstaining. **Ms. Gamblin** Okay. **Clerk Parker** Chairperson Johnson **Ms. Johnson** Yes. **Ms. Gamblin** Okay. It's done.

**Clerk Parker** New business? **Chairperson Gamblin** Yes. **Mr. Matthews** Yes. **Mrs. Meyers** Ma'am. Ms. Chairman before we're not putting the rail down until this committee this this the you people there's over we've drove through Sandusky there's over 329 homes that don't have railings that look just like our house. So we'll see you in court. So before you make me put them on you better go back to 329. **Ms. Gamblin** New business.

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**NEW BUSINESS**

Case No. #2022-08 Linda Johnson is appealing the demolition of 402 Hendry Street, Sandusky, OH 44870 Parcel # 57-00674.000. **Ms. Gamblin** Okay. **Officer Ron Snyder** Good evening my name is Ron Snyder. I am a Code Compliance Officer for the City of Sandusky. On 7 9 of 2020, 402 Hendry Street had succumbed to a house fire. This was all predating me. This was a previous inspector for this initial incident. Once I got into it we started looking at documentation and it shows here that on 7/10 of 2020, an estimate percentage of structural deep deterioration was conducted by building official Mr. Scott Thom. Subsequently, the residence was condemned and boarded at that time noting at the time of the fire the matter was being handled by previous code compliance officer as indicated there was an uh notation on uh indicated in the um on this matter in the file that it was being addressed by Ms. Johnson's attorney. However, there was no other information known why the property sat for so long without a disposition. We had conducted a lien search on the said property and was obtained on 3/31/2002 and we learned that there were four different entities that had liens on this property. Demolition letters were sent, drafted and sent to all four of these entities. And that is what we're looking at right here. Allow me to go back. One was the Erie County Treasurer's Office, the other was the Ohio Department of Taxation, Jefferson Capital LLC and CIVISTA Bank. There were also letters sent to Ms. Johnson at the 308 Hendry Street address which is her mailing address and there was one sent to a PO Box here in the City of Sandusky. Certificate of Mail. Once the allotted time that was granted to the lien holders that if the property was not demolished within 30 days the City would move to demo the said property. An affidavit demolition was filed with the Erie County Recorder's Office on May 25<sup>th</sup> of 2022. On May 27, 2022, a notice of demolition placard was placed on the door of 402 Hendry Street. It was at that time Ms. Johnson had seen the placard on the door. She had contacted me. There was a question of whether or not she had received notification of the pending demolition. There was a I took an actual letter over just to I put it in the mailbox just in case something didn't get sent to her. She subsequently filed for the appeal and that's why we're here today. She was on for a previous date but was unable to make that date so we had pushed her out to tonight's meeting. So. **Ms. S. Johnson** Sir **Officer Snyder** Yes ma'am **Ms. S. Johnson** What was the original date of the fire? Seven Nine twenty? **Mr. Snyder** 07/09 of 2020. **Ms. S. Johnson** Okay, and since then nothing's been done with at all? **Snyder** No ma'am there hasn't been nothing done in today's date. **Ms. S. Johnson** Have you been in touch with her at all? **Mr. Snyder** Only when I had went over I talked to her on the phone and she was in question of that she had not received this demolition letter. Like I said and I went over and placed a copy in her mailbox. So other than that no, I've had no interaction with Miss Johnson after that point. So no. **Ms. S. Johnson** Was the house insured? **Snyder** Um I do not know at this point again this was being handled by Mr. Link prior to me coming to the Code Compliance Office. **Ms. S. Johnson** Why I ask is because when you have a fire like this some of this insurance money goes into escrow and somebody should know about this right away so that way that **Mr. Rucker** So the way that the ordinance is written we recommend demo if it's over 50% but the state requires the insurance company to send us it's two thousand dollars for every fifteen thousand that's paid out for the insurance claim that would come to the city so if the property is not rated at 60% or more then we won't see any proceeds to be held in escrow. **Ms. S. Johnson** So it has to be 60% or more? **Mr. Rucker** That's what the Ohio Revised Code calls for. **Ms. S. Johnson** What is this rated as? It looks pretty bad here. **Snyder** It was rated at the time of the estimate at 52.09% **Ms. S. Johnson** Oh pretty close huh. **Ms. Gamblin** So okay, Is there anyone here today that's representing um Johnson family? **Snyder** Yes ma'am. Miss Johnson is right here in the front we had her sit there so she'd have access to a microphone. **Ms. Gamblin** Um did you want to speak on her behalf. **S. Harvey** Yeah **Ms. Gamblin** You can come up here and please state your name. **S. Harvey** My name is Sibhan Harvey um the reason my grandmother hasn't um gotten back to the City on

what she wants to do with it is she had a stroke recently so she's been bed ridden for like the last three months two months and she hasn't been going through physical therapy so there was like a confusion between the kids and grandkids on whose supposed to take charge um so she got me involved probably about a month ago and um we've been trying to figure out, call Code out there to run through it again because when I take a look at the property. I want to say 50% is a little bit too high I mean I have remodeled houses and it's salvageable. There's a six a-frames that are really hurting the support of the other structure but other than that I don't see any severe damage. **Mr. Matthews** Excuse me was there any insurance on this property? **Mr. S. Harvey** Um was there insurance on it? **Ms. L. Johnson** Yeah. **Mr. Matthews**, Yes, interesting. **Mr. S. Harvey** I haven't got to look at the legal paperwork yet. **Mr. Matthews** Did they pay her anything yet? **Mr. S. Harvey** this it's a question **Mr. Matthews** Can we talk to her? **Miss L. Johnson** Yes, I had insurance (Bring your microphone close to you ma'am) Yes I had insurance but it took a very longtime for them to finally pay it took them so long that I had to I ran into a hardship because they keep refusing to even pay even though I had insurance they were saying well it happened like this or what happened like that and I just they just went round and round with me for a longtime. I had a stroke and COVID at the same time about a year and I'm still bedridden can't walk waiting to get into some therapy and everything is really just work slowed down but other than that I had insurance and they finally did pay which I was surprised they needed to pay they should have did it a longtime ago but it took them so long. **Ms. S. Johnson** Okay how much did they give you? **Miss L. Johnson** I forget They paid off they did pretty good. They did pay off but due to my stroke my memories are scrambled. **Ms. S. Johnson** Can you remember did they pay you enough to repair the house? **Ms. L. Johnson** Yes. **Ms. S. Johnson** Like what are we talking about 20,000 or **Ms. L. Johnson** I don't know. I thought it was like \$28,000. **Ms. Gamblin** What caused the fire ma'am? **Ms. L. Johnson** Electrical. The fire chief said it was electrical and it was a freezer on the porch with a 220 line that had you know. I guess started the fire. **Ms. Gamblin** So okay so are you currently. I know no one is living in the home. Um are you looking at getting it done? I guess the biggest thing is that the fire was on July 2, 2020 we're now in almost September of 2022. Um you said that you did receive insurance money which again you know what people do with their insurance money is strictly on them but um and then I guess these pictures were just taken today so everything still looks like this so are you I guess the question is what is your plans for the home? **Ms. L. Johnson** I want to invest and go ahead and correct the issue and set it up so I can move back to my home it's not totally damaged. I've been through it myself and I know and I put it together at one time by myself so it does not need to be just destroyed **Mr. Matthews** so where you get the finance to do that I had a couple of houses and I sold and I got some money put back to pay the guys that come to work for me and the property manager to talk things over and get it corrected **Mr. S. Johnson** What was this house yours or was it a rental **Ms. L. Johnson** It was mine. **Ms. S. Johnson** Okay do you have rentals? **Ms. L. Johnson** Two of them yes. **Ms. S. Johnson** Are there any violations on those rentals? **Ms. L. Johnson** No. **Mr. Gundelsberger** Who do you intend to have make the repairs to make this home habitable? **Mr. Harvey** She's self-contracting **GG** I'm sorry **SH** She's sub-contracting. We had got two estimates one from Moiser for the demo to come through and got it and then we had another company I forgot the I think it's called Raymore's Construction I don't know where they're out of but they were going to be doing most of the remodel I know from what I took a look at there's like I said there's six trusts from the front porch where the fire started that need replaced and I think that's really the structural damage from what I could see but for that main part we were going to use Moiser because they have their bonded and licensed. **Mr. Gundelsberger** Sure did you bring an estimate of some sort that we can review. **SH** No they gave me I walked them through and they gave me a verbal. I wasn't here at the last meeting that she had came to I had worked so I didn't get to understand of what you guys went over I've kind of been through and thrown in on this recently so I'm just trying to figure

out what she needs to do and how to go about it. **GG** Did you ma'am did you review the inspection report by the Building Official Mr. Thom? On the deficiencies of this house? **L Johnson** Not always involved with it I don't I don't remember seeing all that. **Rucker** Um that's that's that's part of the package that's mailed out to everybody that has invested interest in the property. **Mr. GG** So that they have a chance to come so at some point in time they would have had access to it. **Rucker** Yes they would have had access to it. **GG** Whomever you choose to do this work has to be a registered contractor with the City of Sandusky. You're taking that into consideration correct. **SH** every anybody that has come us do work in the house is gonna be subcontracted licensed insured bonded. **GG** And what's your time frame? **L Johnson** I figured it would take six months at least to a year because everything is slowed down about building material getting the guys to come its not easy anymore every since COVID but I do we have plans to put up the a-frame whereas the our biggest problem on that porch putting up an a-frame and six trusts which would secure that place and even if we remodeled and did it all the way from front to back we would still have sufficient time to correct the problem and I would definitely like to get it done before it gets real cold out its already getting cold early. **GG** So the Erie County Auditor's website lists the 2021 value of \$24,570. How much do you intend to put into this improvement to make it habitable? **L Johnson** I say it would take at least \$40,000. Yeah, I would say \$40,000. Again, I'm not the contractor but like I say I've lived there for like 40 years so I know about how to put it together and what I would allow a bonded contractor to come in and work and make it right. **GG** And one last comment um it appears that the property taxes are currently delinquent. **L Johnson** See I pay I paid half of it and I'm prepared to pay the other half but again with my stroke I am forgetful on some things and I haven't got down there but I do have money set aside to take care of that. **DG** Any more questions? **SJ** I have one more question. Sir you said you talked to a contractor and they gave you a verbal pricing. What kind of pricing did they give you to fix this up to code? **SH** It was going to be on the low end. I think the one person one company quoted \$35,000 on the lowest estimate and then the highest one that we received was like \$57,000 in between there and that's redoing everything. **SJ** You said \$35,000 to \$70,000? **SH** No \$35,000 was it the lowest one that we had was \$55,000 and then the highest estimate we had was um **SJ** \$55,000, yes. **GG** I think that I think in my mind the biggest question is are you at this point are you financially capable of putting that kind of money into this house to bring it back into a habitable condition and do you have some type of documentation from a bank a lending institution that would say yes she does have this a letter incredibly helpful. **L Johnson** Yes well I'm going I have a meeting coming up tomorrow with the realtor for a house that I just sold and that's already like \$24,000. It takes time but I'm sure we have the money and plus I'm retired under good pension after working 41 years and I get about \$5000 a month. So I mean it might not matter but it is a big difference. **Ms. Will** I'm also thought I would consider I think some sort of next month having a timeline and with that we would need documentation from a bank that says we also need your quotes and a timeline because truthfully you neighbors this you know I understand there's been some circumstances here there but its going past 2 years now and there you known there are all sorts of issues going on for the neighborhood and the City as a whole really with this property so I think if you are able to have a plan by next month and a very specific plan money available as well as the actual plans and when they will begin you know from a registered contractor. I would be willing to take a look at that, but I don't know about the rest of the board members. I'd be willing to make a motion on that **SJ** I have a questions on this. This is a wide range from \$35,000 to \$55,000 to fix this house up and in these old houses once you get into something it just explodes. It just adds on and I'm not I hate to see this lady get into a situation that she can't handle financially because she already delinquent in her taxes there are four liens on the house these are points against her. I'm very concerned about that. I don't want her to get halfway through the house and then we have to tell her she has to take it down that's not fair. So we have to look at the whole

picture the financial picture and yes they're telling us something but we've got something else different going on in our paperwork we have no proof of what you're telling us. You should have brought your paperwork the letter states to bring any kind of paperwork you have. We cannot allow people to stand up there and give us some something verbally no. **SH** Yes okay I understand um I can have all the paperwork by the next meeting if you guys uh gave us uh an extension of I'm literally the only person that she has um that's uh trying to get it together I think that house has sentimental value to her so she understands what she's getting into she's evaluated the whole situation start to finish and something that she feels strongly about. We just needed to get here. **SJ** I'm concerned it sat for 2 years and nothing has been done about it. Nobody I've. **SH** been bedridden for like a year and I mean being bedridden and had not having consultant or a lead guy you know intermedian how are you going to get things done and she's just been able to get you know back to a good standing health to where she can get out and handle things she has to do. As far as the property taxes she's prepared to pay what she owes I don't know if she's got a notice in the mail or not about that but I'm pretty sure it wasn't you know intended to not pay what she offered well. **SJ** plus there's four liens on the house Sir. **SH** She's got a meeting with the realtor tomorrow. I'm pretty sure those liens will be coming off so. **DG** you said you are her grandson? **SH** Yes. **DG** Do you live here in town? **SH** Yes ma'am. I'll be one of the main. I won't be doing none of the work but I will be supervising. What subcontractors come in making sure that all their paperwork in order all we got all our permits everything. Legal aspect to get the remodel started and finished that's what I'll oversee. **AW** Is there any way we could go to that slide that shows the different liens on the house again? **SJ** Are you asking for what the total amount is on all 4 of those liens? **AW** I was going to propose that if we gave them an 1 month extension that not only would we need something from the bank as to what her credit will allow for rehab on this house but also to have a statement from each of these 4 organizations or companies as to these being taken care of so that there are no more back taxes or liens or that there's a plan worked out that they feel I don't know exactly because I'm not that I'm not **SJ** for the liens to be paid off is that what you're saying? **AW** so yeah because you know who knows one of these liens could be very insignificant yes I mean they think they have a month's time to try to work through this and being it to us and then we may feel more comfortable saying okay this is ready this ready and then also a very detailed plan as to when this can be rehabbed and with that money available. **GG** I think it makes I think it makes good sense to give you an opportunity to get things lined up but you need to come here with everything ready to go. **SH** Okay **GG** And it might it might give you it might help you see whether or not this is a good idea or not. **L Johnson** Yes I would not want to begin putting money and investing in it to lose it the investment that would be a waste of time that **GG** Surely would. **L Johnson** But like I said I lived in this house for 41 years and I know how to put it back together so and I got guys ready to work and some subcontractors check guys to come and you know be bonded and put it together so that we're safe but putting up an a-frame is major and I'm sorry but I've been sick and I'm still slow and stuttering from stroke its not an easy recovery it works on your mind everything and I talked like I said I had covered. I was in the nursery for like six months and I left out of there still not walking and I had a left-hand stroke and it's just gonna take time to put it together but I understand that it's a sore eye and it needs straighten out I want it to be straightened out so if we could go ahead and bring the process we could show you that we definitely have improved and pulled it out. **GG** I know you speak about a frame replacement but just based on the report itself if you haven't seen the report from the building official its more much more extensive than what you're referencing, in the in the form of heating equipment, hot water tank that sort of thing wiring yes we know a lot of aspects that may not be in the forefront here. **SH** yeah I was just saying those the a-frame in the trust because that's what I could see that was severe that would make you guys just pull the plug on it **DG** well you just need to bring us everything that we need at this point you need as I said a financial



statement, you need to have a plan by a contractor, you need to have what things are going to cost, we are going to work with you and someone will make the motion but again when you come back if it is not what we need then we will vote to demolish it. So I'm just going to keep it real with you I you have questions or you need to know you can contact the code enforcement they can also give you an idea of other stuff that you're going to need to bring to us but we need a solid plan period. And I get it that you know the house means something to you but you're lucky I mean because normally going past 2 years we wouldn't even entertain this idea at all, so we will work with you. **SH** I appreciate that. **DG** but we need a plan. **Board** That's right. **SH** We'll be prepared when we come back. **AW** I will make a motion that by next month meeting we have a quote as well as a timeline from a registered at least one registered contractor with the City we also would like to see a financial statement from your bank or banks that the money and how much money is available for that as well as statements from all four of those liens listed that they have been taken care of or that you're in the process **SJ** and the taxes throw in the taxes their time **AW** that's what I included as part of the liens there are four companies and organizations. So we could need pretty much a detail very detailed documentation in all of those areas not just a couple. Yes. And we need that to be turned in on their timeline. **DG** So that they can share with the appropriate information but they their office can talk to you about that because I'm not usually we need to have it at least a few days before the meeting or they need to have because they send it to us so you guys can go they will they'll tell you specifically when I mean our next meeting is the 27<sup>th</sup> but they can give you a timed day **Rucker** we typically get your packages out two weeks prior to the board meeting so that you have time to digest **AW** well even if you had it available for us right before the meeting I think we could look over everything pretty quickly because I don't that's a lot of work for two weeks. **DG** Yeah. But I don't know that we should keep going on anymore. I mean it's been 25 months. Yea, plus. **SJ** No but that the letter of credit from the bank is the biggest one there plus No but that the letter of credit from the bank is the biggest one there plus I'm concerned about the liens. Four liens on that I think all of them. I mean we also need I think. They're all significantly equally important because its all pieces of plan. So I think if we had it just a few minutes before the meeting, we could take a look at what's given. **DG** I need a second. Second. It's been moved and properly second. All in favor signify by saying I. I. No opposed? Can we get a roll call, please? Yes. Madam Chairperson Gambling? Yes. Mr. Gundelsberger? Yes. Mr. Matthews? Moved and approved.

**New business.** The next case please. We have case #2022-09 – Trent Sattler is appealing the First Administrative Appeal to address 512 McDonough, Sandusky, OH Parcel #59-00782.000. **Ron Snyder** Well good evening. I'm Ron Snyder. I'm a code compliance officer with the City of Sandusky. The property in question is going to be 512 McDonough Street. On January 14<sup>th</sup> of this year 2022, while I was in the field traveling in the 500 block of McDonough Street I observed two residences in that block. Noted that they didn't have gutters or down spouts on the structures. 512 was one of the two structures. You will notice here the photo that you have in front of you. That is most current. That I set there right is going to be of a different color. There's been a change in the outer coloring of the house. It instead of heaving blue front on it, it's going to have a white front. Now for the big oh what's the sunflower. Yes. In front? Yes. Okay so on January 14, 2022, I sent a notification and order of violation letter to the owner was Mr. John Sadler. As of January 18<sup>th</sup>, I got the notice of order back with a handwritten message on it and I'll quote "okay I've never had gutters on any of my houses there is a one foot overhang and from my personal experience of being a roofer for three years gutters do nothing but cause problems they hold ice on their roof and edge and will cause your roof to leak, I own my house pay taxes and own outright and I am on disability and cannot afford them. If I wanted them which I do not". That is the original letter that was sent and there's the handwritten response that I did receive. On

February 22<sup>nd</sup> of 2022. "Due to winter weather low temperatures freezing rain snow, etc." I granted Mr. Sadler courtesy extension on his timeline. A courtesy letter was drafted, indicating same and that the inspection would not take place until April 22<sup>nd</sup>. I gave him some time to basically allow the winter weather to subside. It would be a little nicer for this work to possibly get done. This copy of the courtesy letter, certified mail and certificate of mail. I then on February 24, 2022, I received an email from Mr. Sadler indicating that he was going to be putting a pole barn up putting a metal on the residence which would include gutters and downspouts. He was thankful for updating me on the property. Prior to the next inspection though which was April 22<sup>nd</sup>. I check with the Building Department and found, that Mr. Sadler had obtained a permit for the pole barn but not for the new roof. This is a copy of an email the basically alluding to what I had just informed you as far as that. April 22, 2022 upon conducting said reinspection I found that no work had been completed nor had Mr. Sadler reached out to me to ask for more time. As a result I noticed the first administrative penalty letter to the owner to correct. The violations letter was drafted and forwarded to Mr. Sadler along with penalty for \$100. A copy of the letter, certified mail and a copy of the certificate of mailing. An administrative penalty evaluation for that. April 5<sup>th</sup> I received an email from Mr. Sadler indicating his discontent with receiving an administrative penalty. I'll read it. 'hey I'm a little confused. I'll let you know that I was getting a loan. The building permit for the pole barn and putting a new roof on the house and gutters. Well, I just finally got everything. It was all special order from Menards. It just started my roof and out a third of the way done. Then I will paint the eaves put gutters up everything is right now and get things we discussed this in February. Why would I get a bill for \$100. I am like very upset over it. I've been busy I've been busting my butt to get this work done and I get a bill to say the least yes he was basically upset at the fact that he had received an administrative penalty. My response from Mr. Sadler was as follows: you may have in fact made all the arrangements that you had indicated however I have nothing to show that you have on the day of the inspection it was very apparent that no power washing and or painting had occurred prior to the set date. Yes, a person's word can go a long way but without receipts, photos, estimates, contracts, etc., there's no basis for when the work will be stated and or finished. I basically suggested at that point if he was unhappy with the action that he filed the appeal and bring it in front of the board. I sent an additional email on April 21<sup>st</sup> after the previous one indicating that all of his items were special order and work will be done. Again discontent in regards to the \$100. On the 26<sup>th</sup>, I responded back advising that the invoice would stay in place and not void it. He again was advised that his recourse would be to file it for an appeal. On the 26<sup>th</sup> of this year, April 26<sup>th</sup>, Mr. Sadler again claiming he did not he did have proof that our emails he was then I'm sure that he had the proof that he would be able to bring and fork before the Board. Basically the Board was being the only ones that could go ahead and waive that penalty fee. Mr. Sadler again he emailed my on April 26<sup>h</sup>. Whatever man leave me along. Go um I was under the impression that there should have been a c in there. I'm this is verbatim from the email someone else is actually is doing the city wrong and I am not the one. I'm gonna put gutters up. Just got over the epidemic. Things of this nature he was thankful and un for his opinionated statement and instructed to have a nice day. I wasn't about to get into a whole battle with him on the email in that regard. On April 27<sup>th</sup>, Mr. Sadler left me a voicemail inquiring about the process of filing an appeal sent him an email explaining the process. Doing so a the location where it needed to be filed. A short time later he did come down to the Code Compliance Office and file on May 6, 2022. He contacted me via public service advising that he was in the process of putting a metal roof on his residence. Fell off the roof while doing so. This resulted I think everyone on the board can see that he is on crutches has a boot on. He injured both of his legs in this process. His appeal had been set initially for May 31. We assured Mr. Sadler that no action would be taken. He would be extended out until he was well enough to

where he could bring his matter before the board and subsequently that's tonight. May 6<sup>th</sup> and again he was informed extend his appearance giving him more time to heal. On that same day, May 6, 2022, a check of his residence did show that a portion of the roof had been replaced with the metal roof however if you notice the photo no gutters or spouts had been applied at that point that's all I have. There is a photo array that I've given you as of today's date was completed and there are gutters and spouts on Mr. Sadler's house. So everything's completed. Everything that he had been initially in violation of and administrative penalty wise he completed just beyond the date and timelines that were established for him, So the completion date was what? May 6<sup>th</sup> is it as of May 6<sup>th</sup> this was not complete okay so what was the completion date. I'm not certain of that because the last time I took a photo of it would have been beyond. It was July it got done so. Does there need to be an inspection? Excuse me no further inspections he has completed what was asked of him again he it was not complete until after the date that had been set for it to be done. Okay **Mr. Gundelsberger** I have a question **Mr. Gundelsberger**: Mr. Sadler did you install the roof? Yes Sir. You installed the roof. Mr. Thom is a permit to install a roof required by the City of Sandusky? **Mr. Sadler**: Yes. When I went in there to get my building permit I went in there to ask you the building permit for my roof and for my pole barn, she told me in that office that I do not need one for a roof and that's how that went down. **Mr. Gundelsberger** She is whom? **Mr. Sadler** The blonde the long-haired blonde that works in the in the permit part. What's her name? Vassallo Miss Vassallo. She told me straight out I don't need it for that for the roof. If I'm just adding a roof over my existing roof that I do not need to take the old roof off. I just put tin on top of one layer of shingles and she said I didn't need one for that or I would have got it. We came down to get it. I had no problem getting it. I came down there to get it. **Mr. Gundelsberger** Yeah. **Mr. Sadler** So I mean I was misinformed obviously but that's what I was told. I mean definitely would have got it because I don't, I always get building permits for anything I ever do unlike a lot of people. **Ms. S. Johnson** So who can establish that um Mr. Scott can you verify that? **Scott Thom**: I have no problem verifying or going out there verifying if it was installed correctly (inaudible) or having someone go out there, **Ms. S. Johnson** I'm sorry? **Mr. Thom** I have no problem with having one of my inspectors or myself from BD go out to verify if it was installed properly **Ms. S. Johnson** But what I'm asking is he put a roof over a roof and it doesn't need a permit is this correct? **Mr. Thom** Yes, it is does need a permit. **Ms. S. Johnson** It does need a permit? **Mr. Thom** Yes it does need a new permit for a new roof, for a tear off. Whenever you put a new roof or anything over top of anything only another layer you'll need a permit. The reason for that is you're only allowed two layers before you have to do a complete tear off. **Mr. Sadler** Yeah, and I only got one layer of shingles and that's why I got only a tin roof over one layer. But I was also under the assumption even though I did ask her and she said I didn't need one I always had thought that a homeowner himself did not need a building permit to do anything on a roof a contractor does now that's that's my assumption of it. **Mr. Scott Thom** It still has to be inspected. Even if the homeowner does it, it still got to be inspected to make sure it's compliant to our Building Code. **Mr. Sadler** Well aight. I know that it is done right because I did it. And I have been a roof for years so inspect it. But I would have gotten a building permit for it had I known. **Ms. S. Johnson** Ok, so you have to have a building permit no what correct? Okay. **Mr. Gundelsberger** Mr. Thom would you have any idea what a permit cost for to install a roof on a residence would be, Paul? **Mr. S. Thom** If it's under 10,000, it's \$100 over. **Mr. Gundelsberger** All right I would suggest that we apply the \$100 administrative penalty towards that roofing permit. **Mr. Sadler** So I still have to pay money **Mr. Gundelsberger** I'm sorry **Mr. Sadler** even though this place told me I didn't need a permit **Ms. Gamblin** Excuse me. Say something real quick. It's not actually about the roof itself. It's about that these dates that you were supposed to

be working on it Yeah and I saw something in there where you know you had sent a message about you ordered this stuff at Menards. The problem that we have at this point is that there was no communication that you ordered your parts from **Sadler** Yeah there was I I emailed Ron and told him. **DG** No, I mean I'm not I'm not I'm not I'm just saying there was no communication regarding that you ordered stuff that it was a delay because again you had contacted him, he could have worked a different day about by April 22<sup>nd</sup>. There was nothing done April the 25<sup>th</sup>. **Sadler** There was all this back and forth going Power wash our house Ron yeah, he didn't he it was he didn't notice it and it really was power washed the day he said it wasn't um I mean I tried when in February is when I got my first complaint. I let Snyder know and I did have some choice words/ I was very upset because I thought my house be grandfathered in because that house is very old its never had gutters on it in its entire life, I owned it. Why all of a sudden now that I own it doesn't need gutters how's coming then when that Code was first enforced which is back in like 90 something um house come nobody how do people feel that they should be grandfathered I mean I I know I get it You know I know but I'm just saying and that's that old penalty then in March I got that building permit and that's when I came here and asked about the building for my building permit and for my roof and I told you what went on there and I explained it to Ron that I got that building permit and he texted me back in the email. I don't know if I can find or not but he told me okay all sounds good or something like that Every everything should be good or work out and then in April I got a \$100 fine after he had just told me that everything was okay and then I got all upset you know about it And I got my butt working on it and then in may I fell off the damn roof over some gutters which I understand gutters you want gutters on a house but I I gotta say with all due respect gutters take water from spreading it out to putting a puddle that's all they do period. Regardless don't do nothing. Okay but I know I know what all this bout. I don't know I just I got two broken legs bad ones over some damn gutters. I m sorry for that excuse my language but its all done all the works done and I said in my building permit back and forth have somebody come and check not a problem. I mean back in March everything is done. **Ms. D. Gamblin** Administrative penalty do we have a motion on the floor? is there a second **Mr. Gundelsberger** Second. It's been properly seconded. All in favor signify by saying I. Those opposed? Roll call please. Clerk Madam Chairperson Gamblin Yes, Mr. Matthews Yes, Miss Will, yes. Miss Johnson Yes. **Ms. D. Gamblin** Okay thank you. **Mr. Sadler** Unbelievable I just lost all my respect for all in this City. Give me my crutches. It's ridiculous. You might want to train your employees a little better and let people know what are really supposed to happen.

**Ms. D. Gamblin** Next Business Clerk Case No. #2022-10 – Robert Garrett is appealing the Second Administrative Penalty of 223 Perry Street, Sandusky, OH Parcel #56-01192.000. **Ron Snyder** Good evening my name is Ron Snyder and I'm a code compliance officer with the City of Sandusky. This was first brought to my attention on the Second day of March 2022, I had a young lady that was a resident of 223 Perry Street had come to the Compliance Office and wanted to file a complaint against her landlord Mr. Garrett for failing to fix numerous issues to both the interior and exterior of the residence. When she was asked if she'd addressed these with the landlord the young lady named Tabitha advised yes. However, he did not address the issues so there again on March 2, 2022, prior to entering the residence my attention was drawn to a number of violations exterior residents the picture to the left is of two three the front the picture to the right is to the east area which would be to the north side of that structure. I don't know if anyone can see that multiple layers of shingles are on there and it looks like a family of birds that are living in that eve area. Then that fascia and soffit area is pulling away from the structure. Again, same photo on the left I know the photos are a little dark here. We're getting

over on the north side of the house there on the picture on the left where we had disconnected down spouting and again in the picture on the right just over it emphasizes the down spouting is connected at the eave and only comes down a portion of the wall with no extended portion of the spout to push that water out away from the structure. The young lady had when she had brought it to our attention. Was concerned in regard to once we get to the photos of the interior, this roof to the left I know Mr. Garrett had claimed that was fixed subsequently its just it was a question of the manner that's fixed the picture to the right if you notice the shingles on the in that photo I don't know who Mr. Garrett had shingled that but the shingles are facing in the wrong direction and subsequently there's nail holes that are unsealed. Things of that nature the picture to the left is an interior bedroom window. The sill basically is dry rotted, and that window would not seal the picture to the right is a closet that had been added on to the exterior of the home where the drywall just was basically butted up against the siding of the residence. Picture to the left is a side view of the photo in the that you're looking at there does not do it justice for the simple fact is when you look at that inside the structure you can see light coming in from the exterior so there is there's no seal there from that drywall to that outer siding of the house. The picture to the right is just another area within that closed that is exposed. Picture to the left is the ceiling and the shower where there were water stains coming from an apparent water leak above. A picture on the right was some drywall concerns. Staying to the left the picture. To the right is as you walk through the front door of that structure it was a foyer area. This was damaged that I was informed as a result of the roof for the front porch and created that hole and opening there from the water damage. Pictures again here just showing that there's the section the left photo there's no gutters on that back portion of that residence. We have some dry rotting going around the windows there. So, in 3/03 of 2022, I noticed an order of violations I was drafted and forwarded to the property owner with a certificate of certified mail being sent and a certificate of mail on 4-5 of 2022 excuse me. It was the first reinspection date for the Perry Street property you can see that these photos are showing the exact same as the previous ones where nothing had been done to this property 4-6 due to no work being done toward compliance and administrative penalty was administered for \$100 notice, the first administrative penalty failure of owner to correct violations letter was drafted and forwarded to the property owner, invoice for the aforementioned \$100 and then online payment instructions were also sent. Well, there was an administrative penalty evaluation done on this as well. On May 9<sup>th</sup> of 2022 was a date set for the second reinspection. Again, we've got nothing had been worked on still. Issues with the down spouting there to the left we still have eave issues there on the right no gutters applied to the back portion of the residence. Still downspout issues too. In the right photo disconnects on down spouting there due to the fact that no action had been taken not corrected debated fixed and or rectified. Any of the documented violations a second administrative penalty was administered for \$500. It was drafted up and I noticed a second administrative penalty, prepared owner to correct violations letter. It was forwarded to the property owner along with an invoice for the set amount. It's a copy of the letter there, as well as a sticker of mail and again an administrative penalty Evaluation was done on that. On 05/09 of 2022 there was a motion for our he filed for the appeal. So stand corrected there that's a hindsight on my part. It was 06/09 not 05/09 on that appeal. **Ms. D. Gamblin** Is there someone for the property Mr. Garrett if you'd like to know if you'd like to stay seated just have a seat here. **Mr. Garrett** Number one, I'd like to know when does Code Enforcement get involved in an eviction an eviction was issued in January of 2022. This lady was supposed to be gone. She told me nothing about any problems that she had there were no water leaks inside of the house. In fact, all the damage was done inside the house was caused by the tenants. I have pictures to show you what was done. As far as the roof and the outside on the south side of the roof where the porch was repaired last

summer. New gutters and downspouts were installed as you could see that there were no leaks at all. I don't climb ladders. The only thing I could look up see there's no leaks. As far as the roof on the north side that has been repaired and the notices I got from the code enforcement was for the trash and things that the tenants had put outside in the back which I came down and I saw Mr. Snyder and said this had been taken care of. I have been in the hospital 5 times since January until May and my son brought me down and this tenant was tearing out the screens, cutting up the screens at which time I called the police and there was a police report of this. So I don't know why I would be involved with this since then she has been evicted and everything was being taken care of. I put the house up for sale because I cannot any longer maintain or do the repairs. If you'd like to see them, I have a lot of pictures where the tenant has damaged doors, holes in the wall, garbage all kinds of stuff they put out there. Iron shelving to have tore up refrigerators and just trash a house complete. I've never seen anything like it. Tore all the interior out the fans, electric components, tore down doors. I didn't hear anything about that and you Miss Martinez didn't say anything about it. **Mr. Snyder** We're not going to get involved in this. **Mr. Garrett** I mean I'm just letting you know concerning the issues with the trash in the back yest that was rectified you told me that that matter was yeah and I took care of that and I was in them I wasn't even around at that time I was in Cleveland in the hospital well two, two things I'm gonna say this Mr. Garrett one how code enforcement actually gets involved with a lot of these cases. Is that somebody called and made a complaint. Now even though I let me let me out let me finish even though your tenant was being evicted if she calls or comes down and makes a complaint with the city we have to go out and investigate that's one second the only other thing that we say to other people or we say to landlord you have every right to inspect your property now again. I don't know when this transpired with you and this young lady but when you know we hear this a lot that landlords will say this tenant tore my property up and what I say back to them is you can contact give a 48-hour notice and tell them you coming to check your property period. Yes, yes I was in violence three times. I understand. Wait, wait and during this time I couldn't follow through with the eviction. Had this been the case she would have been gone before March. This was three months before that she was evicted in fact I kind of contacted Code Enforcement. I told him I had Judge Maschari as a lawyer. She was taking care of his eviction because I was not able to and I was so hurt that didn't mean anything You know it still had to go on. No I understand. So she actually so this for Mr. Snyder. So the tenant actually filed a complaint with you on March 2<sup>nd</sup>. Yes, ma'am. She said Mr. Garrett you filed an eviction on January. Yes. I can give one the date if you have it fine its been in fact its been contested. And from January until June to get her out of there because of the lawyers she contested the eviction because of this Code Enforcement. Thank you. Um, Mr. Garrett I guess my biggest questions though are a lot of issues that the City is addressing aren't wouldn't be able to be caused by the tenant. It sounds like they may have had some things going on in the inside but there are multiple violations on the outside with which they have had no control over such as the roof the gutters the downspouts. The general of lack of, like there's no gutter, paint, facia, **Mr. Garrett** There's no gutter problems on the south side. That was done last year and I was going to do the north side of the house with the gutters on us this year. **Ms. Will** Right. **Mr. Garrett** Due to the problems that we had the house is for sale. It's going to be sold. **Ms. Will** Right. But the deterioration that I am seeing probably has been going on for a multitude of years. That it hasn't been addressed and no matter what was going on with those cosmetics inside a lot of the problems **Mr. Garrett** just happened this year. As you can see the pictures I took that was just happened this year. This is some of the damage that was done. Just like all the trash and the doors being torn that was this year. This time was between like I said January **Ms. Will** But some of these photos **Mr. Garrett** I don't even know where that is. **Ms. Will** that

are going on for many months and years beforehand and probably caused by **Mr. Garrett** I don't even know where that is. **Ms. Will** The roof. **Mr. Garrett** If that is upstairs in the attic I don't know. I do not climb ladders. I did haven't been up in the attic. **Ms. Will** I think they had said a couple of them were in the bathroom that the tenant was using and most likely caused by roof leaks. **Mr. Garrett** the bathrooms have been remodeled like and there's a new toilets and new floors in the upstairs bathroom and the downstairs bathrooms. I had not been in that unit for two years. She had not paid rent in that unit for two years. That's why the eviction notice was issued. I don't know what happened or what transpired. What I do know after I went over there I noticed that all the water was turned on. All the faucets were on and the water was running. My son wanted to know why was she still there. Why did she have access to constantly coming in and out. And this is what time in May when the police were called up. **Ms. S. Johnson** I have a question. If I may ask. Sir, do you own any other rentals in town? **Mr. Garrett** Pardon me. **Ms. S. Johnson** Do you own any other rentals in town? **Mr. Garrett** Yes. **Ms. Johnson** How many? **Mr. Garrett** I think three. **Ms. S. Johnson** Okay, three. **Ms. Johnson** Are they in violation? **Mr. Garrett** No. **Ms. S. Johnson** Okay. **Mr. Garrett** I received a letter last year about a courtesy notice about a paint job by my house on Camp Street where I use to live at 622 and at which time the house was completely painted and there was no violation. **Ms. S. Johnson** Okay. **Mr. Garrett** Received the follow-up on that. **Ms. S. Johnson** On the house today that we're talking about is the water? **Mr. Garrett** It should be. No. **Ms. S. Johnson** It's not on? **Mr. Garrett** Not at/ Are you behind on any of your taxes on this? **Mr. Garrett** No. **Ms. S. Johnson** One more thing. Just one more thing. Do you plan to fix this up or are you just going to sell it as is. **Mr. Garrett** I'll sell it as is. **Ms. S. Johnson** So you're not gonna fix it up then. **Mr. Garrett** The roof the part on the north part has been repaired. There are no water leaks inside the house at all. If you go in you could see we've had a lot of rain in the last few weeks there's no leaks at all. **Ms. Gamblin** Okay. So at this time what we're addressing are the administrative penalties. The administrative penalties total \$600. The first one was \$100 and the second one was for \$500. So as of today does any board member have anything that they want to state about the administrative penalty, at this time? Are we following through with it or what? I need a motion. **Ms. Will** I make a motion that they are upheld because I don't see any kind of plan besides putting it on the market is really not a plan to me. So I don't see any kind of I you haven't spoken about bringing any quotes from someone to have it fixed. **Mr. Garrett** Pardon me? **Ms. Will** You haven't had a quote for these all of these infractions to be to be fixed. Correct? **Mr. Garrett** Yes. The outside have been taken care of. **Ms. Will** Well **Mr. Garrett** If you look at the roof Mr. Snyder could tell you has been taken care of. The roofs are where there was a separation between the roofs that was taken care of. **Mr. Snyder** These are the photos that were which contests what he's indicating. **Mr. Matthews** Right. **Ms. Will** Yes. I would make a motion that both penalties are upheld. **Mr. Gundelsberger** Mr. Garrett the photos that we were just handed today this is dated August 30<sup>th</sup> and it is showing where gutters and downspouts are disconnected or not the integrity is not there and back portion of the house there's no gutters on it. **Mr. Garrett** The back porch? What part are you talking about? I don't. What is this part right here? I don't what this. The part is right where the um. I don't know what this. That part where the roof is sitting. The north part. Right in there the north part. I don't understand the **Mr. Snyder** Are you seeing the picture right now, Mr. Garrett? Right here you should be on that has been. **Mr. Garrett** They caused that. **Mr. Snyder** I would not know how they would cause dry rot but. **Mr. Garrett** I don't know I mean. **Mr. Snyder** This area right here that section there's no gutters there. That's what they're referring to. **Mr. Garrett** Okay I see what you're talking about. I have not been over to that property in 6 or 8 months other than just riding by. I just I live across the street and I just moved back home. I was gone from home because of sickness and illness for 7 months. **Ms.**

**Gamblin** Well today are we just addressing the administrative penalty. We have a motion on the floor to uphold the \$600. I need a second **Mr. Gundelsberger** Second. **Ms. Gamblin** It has been moved and seconded. All in favor signify by saying aye. **All aye** **Ms. S. Johnson** Ma'am. What was the motion again that he pay the \$600 **Ms. Gamblin** Yes. **Ms. Johnson** Okay. **Ms. Gamblin** Are you in agreement with it? **Ms. S. Johnson** Yes. **Ms. Gamblin** Roll call. Yes all.

Case No. #2022-11 – Adam Kennedy is appealing the First Administrative Appeal 1126 Fourth Street, Sandusky, OH Parcel #57-03700.000. **Ms. Gamblin** And the last one for today we have for administrative penalty on Fourth Street. **Ms. S. Johnson** Ms. Chairman. **Ms. Gamblin** Yes. **Ms. S. Johnson** On this last one I am going to abstain from that one. Let the records show that I've abstained Case Number 20 2022-11. **Mr. Snyder** Good evening I'm a code compliance officer with the City of Sandusky. In October 2021 a resident notified code compliance of some housing violations. These were primarily in the rear of the residence in the 1100 block of street off a City alleyway. While working on some of these properties, I observed similar violations to the rear of five properties in the 1100 block of 4<sup>th</sup> street. Mr. Kennedy's being one of those. On 2/18 of 2022 an inspection was conducted at Mr. Kennedy's residence and I noticed downspouts on both the east and west sides. Garage had a number of areas that had missing cracking and or flaking paint to the north upper portion. The mandoor and door trim on the west side and e-trim on the south side all had paint concerns. The window for the manor walk through on the west side of the garage had a broken window pane, the wooden trim to the south side of the residence below the gutters had missing flaking and or cracking paint that would be the photo to the right. 1/20 of 2022 continued notice in order violation letter was nailed to the property owner/ Certificate of mailing and certified mail. On 1/26 of 2022, I spoke with Mr. Kennedy's fiancée Megan who agreed the issues needed to be addressed, however the weather was not in their favor and they were currently focusing 1on interior issues. She also questioned timelines at that time she was explaining. I understood regarding the weather and would work with them on timelines, as long as, progress was made and they had a plan of action. On 2/22 of 2022 a follow-up investigation basically ended up with me giving them a courtesy extension due to the winter weather. We believe that date was pushed out to April 26, 2022. On April 26, 2022 Conducted an investigation inspection, Mr. Kennedy's fiancée, Megan, exited the residence with a newborn child. I inquired about the residence since the documented issues were still existing. Megan advised they'd recently had a baby and their timelines had been prioritized and the weather still had not been conducive for any painting to happen. She asked that day she and Adam be granted some additional time to address the issues. I agreed with Megan that the weather for the month of April. Again, rain high winds and snow had not been all cooperative to get exterior surfaces painted. Subsequently, they were again extended their timeline out until May 31, 2022. A follow-up inspection was conducted on that date and an inspection revealed that a new main door or walkthrough had been installed, the downspouts had been installed on the east and west sides of the garage. Due to progress toward compliance was observed and an extension again was granted to give them some more time. However, it did indicate that the paint issues would need to be addressed before the next inspection That inspection was on 07/05/2022 that inspection revealed that no further work had taken place on the property. No paint had been no painting had been taken place. Photo on the left will show that area of trim on the residence had not been addressed. The trim on the garage had not nor had the area of the garage that you're looking at where the play equipment is that's on the north side that had not been addressed either. In fact no work had been done on the property and invoice was prepared and forwarded to the property owner along with the notice of first administrative penalty and failure to owner to correct violations. On 07/15, Mr. Kennedy had



filed the appeal for \$100 administrative penalty. His reasoning for the appeal was time and money had a baby in April other projects he had a back injury. Apparently even with these issues he had never reached out to me to ask for any more time and so he said so. Photos that you guys were given would show that he has completed those tasks but they're not here to represent themselves. **Ms. Gamblin** And the tasks are done as of today? Everything that you **Mr. Snyder** Yes. Everything that he was asked to do he went ahead and completed it. I don't understand why he didn't appear for his appeal hearing. **Mr. Matthews** The painting is done also? **Mr. Snyder** Yes painting was done. That had been the only thing that had been remaining on that painting to the trim on the back of the house., the trim on the south side of the garage and the upper portion of the north side of that garage. He had completed it. Again, I don't understand if he would've asked for an extension of 30 days he had it done within days. **Mr. Gundelsberger** I don't understand this but in light of the fact that he has completed everything that was asked of him. He had a responsibility to be here. **Mr. Snyder** Sure. **Mr. Gundelsberger** Personally, I think it would be in our best interest to table this for one month and give him an opportunity to come to the meeting and be excused of his penalty. That's all he has to do is come and be present. I think that it would be unwise to rule otherwise at this point. He's done everything that he was asked to do. I put that in a motion. Sorry that's. **Ms. Gamblin** Do I get a second? **Mr. Matthews** Who motioned it? **Ms. Gamblin** He made a motion to have him come before us. **Mr. Matthews** We should just get it out the way. **Ms. Gamblin** We have this one over here that just want to just dismiss the administrative penalty. **Mr. Gundelsberger** The intent of the penalty is to **Mr. Matthews** I motion that we dismiss. **Mr. Rucker** you have a motion over here. **Ms. Gamblin** I know I have a motion that's here. I think it's going to die for a lack of a second. Now I've got a second motion out here that you just want to dismiss the penalty. **Mr. Matthews** Yeah. Everything is done so. **Mr. Gundelsberger** That's fine. **Mr. Snyder** His timeline on the completion was beyond the timeline granted but as of today's date, yes. **Mr. Matthews** Yeah, yes. But he didn't show up. A lot of them don't show up. I've been doing this a longtime and a lot of them don't show. So why we waste our time keep bringing it back? **Ms. Gamblin** Am I able? I'm able to say to second it right? **Mr. Rucker** Yes, absolutely. **Ms. Gamblin** Because Sharon has abstained and dismiss it. The man has done all what he was supposed to do so I am going to second it. **Ms. Will** which motion are we the original like by Gary or by **Ms. Gamblin** By Walt. I'm going to second the motion that we just dismiss the first administrative penalty. **Mr. Matthews** Right. **Ms. Gamblin** So it's been moved and second. All in favor signify by saying aye. **WM and WM aye. Ms. Gamblin** All opposed? No opposed. Take a roll call. Ms. S. Johnson abstained all others voted yes.

#### ADJOURNMENT

Ms. Gamblin made a motion to adjourn the meeting. Mr. Matthews motioned and Ms. **Will** second the motion. All members voted in favor and the meeting was adjourned.

**NEXT MEETING:**  
**September 27, 2022**

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**Attest: Stephen Rucker**  
**Housing Manager**

**Date:**

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**Dana Gamblin**  
**Chairperson**

**Date:**