

1. **Meeting Called to Order**

Dana Gamblin - Chair called the meeting to order at 4:04 pm.

2. **Roll Call**

Present:

Board Members

Dana Gamblin, Chair

Gary Gundelsberger, Vice-Chair

Sharon Johnson

Janice Warner

Lisa Maczuga (Alternate)

City Staff

Stephen Rucker, Housing Manager

Ron Snyder, Code Compliance Officer

Scott Thom, Chief Building Official

Sarah Chiappone-Assistant Law Director

Not present:

Walt Matthews

Don Sharrah (Alternate)

Treka Parker, Clerk

Justin Harris-Interim Law Director

3. **Audience members sworn in by Stephen Rucker**

4. **Approval of Minutes from September 26, 2023**

Chair Dana Gamblin introduced the first item on the agenda, which was the approval of the minutes from September 26, 2023 Housing Appeals Meeting. Vice-Chair Gary Gundelsberger moved to approve the minutes as presented and Sharon Johnson seconded the motion. Chair Gamblin called for a vote and the motion passed unanimously.

5. **Housing Development Funding Update**

Housing Manager Steve Rucker gave an update of the funding balance as being \$31,000.00.

6. **Old Business**

Recalling Case No. EN22-1626 Zloro Johnson for 1503 Harrison Street, Sandusky, Ohio 44870 Parcel Number 58-

01558.000 progress update. Mr. Johnson testified that the gutters and downspouts had been installed; and that the windows were covered and all he had left to do was to paint the carport. He presented pictures to Officer Snyder prior to the meeting. **Officer Snyder:** Stated Mr. Johnson had put addressed the downspouts, gutters, and windows on the South side of the residence and he would need to replace a small section of aluminum siding that's missing off of the northside and paint the carport. The majority of the work has been completed. **Mr. Johnson** Stated he would have the remaining violations corrected by November, once he gets his check. **Ms. Maczuga** Made a motion to grant the appeal. **Ms. Warner** Seconded the motion. Chair Gamblin called for a vote and the motion passed unanimously.

Case No. EN21-2058 Bonnie Dickson is appealing the Notice and Order of Demolition for 717 Warren Street, Sandusky,

Ohio 44870 Parcel Number 57-03930.000. Ms. Bonnie Dickson resides at 1309 Sycamore Line. She testified that she contacted several companies to get foundation estimates and could only find one contractor to give her quote for \$600 to \$1200 to come out to do an evaluation. She took pictures of the basement/crawl space after a recent rainfall and found that it was completely dry. She felt that the house would need new plumbing, HVAC, electric and timeline to complete the house would be 1 year. Beginning in January 2024 by having the windows ordered and installed in February. She already has her own financing via her bank account, smart loan, Christmas bonus, income tax return and that she can borrow money from her 401k. Her father, **Paul Warren** 1418 Dixon Drive, Sandusky, OH testified that he would give his daughter \$10,000.00 towards fixing the house. Ms. Dickson stated that she could get financing through the HVAC and window companies to cover expenses through their programs. She has a list of items needing repair, estimates, spending and timelines for the project. **Scott Thom, Building Inspector** testified that the percentage of deterioration is 69% based on the house being gutted as when the house was completed and built for the first time.

Leaving it without electrical, HVAC, plumbing, basically it's bare studs. Mr. Thom further stated for this single floor approximately 800 square foot house, blank slate that it would make a good project; that it is set ready to go *in its current state*; the plaster and everything out; the back has some foundation issues that would need to be addressed; there was an addition put on, but has since been removed. **Discussion** about where does Ms. Dickson currently reside; submittal of financial documentation; timelines for completion is way under; and deterioration percentages; whether Ms. Dickson could financially afford to make all of the estimated \$34,000.00 in repairs; her timelines and providing financial records and estimates to the Board; it would take at least \$20,000 to start the project; good credit and her having access to \$23,000, plus a home equity in her residence at 1309 Sycamore Lane; in addition to receiving financing with window and HVAC companies; list of contractors who will be helping with the installation and repairs; concerns about her withdrawing her 401k funds; providing the Board with all of this detailed information at least two prior to next month's meeting or by November 14th, as requested previously at the September 26, 2023 meeting. *Questions* were asked of the Law Department, if the HAB granted Ms. Dickson's appeal of the demolition order, what would Code Compliance's process be moving forward; if the HAB had the authority or right to ask homeowner for financial documents. **Mr. Rucker, Housing Manager** explained that Code Compliance would be looking at the exterior and would not be getting involved with the interior; and that Building would be involved with the interior. **Sarah Chiappone, Assistant Law Director**, explained that if the appeal was granted that the house would not be demolished; the Board could grant an extension to property owner or interested party; and quoted Codified Ordinance 1341.08 for the record and further stated that it was up for the Board's interpretation.

Codified Ordinance 1341.08 (b) and (c) Repair, Vacation and Demolition; Procedure; Remedy of City for Noncompliance: The Board may grant a 30 to 90 day extension to a property owner or interested party for compliance with the provisions of this Chapter only upon a showing of satisfactory assurance to the Board that the property owner or interested party has the financial and practical capability of initiating and completing the required repairs to the premises within the time extended. After one 30 to 90 day extension has been granted, additional 30 to 90 day extensions for repairs may be granted only upon a showing to the Board of substantial progress toward completion of repairs at the owner's premises. In the event of noncompliance, to any extent, or partial repairs to the premises by the owner, the Board may at any time declare the premises to be a public nuisance and declare that the premises be razed. In the event of *noncompliance*, to any extent, or partial repairs to the premises by the owner, the Board may at any time declare the premises to be a public nuisance and declare that the premises be razed. **(c)** If there is no compliance with the Board's order provided for in this section after 30 days, the Board shall cause the dwelling or premises to be repaired, vacated, or demolished, as the facts may warrant under the standards provided for in this section and Section 1341.15 of this Chapter.

Ms. Gamblin made a motion to table for 30 days giving Ms. Dickson time to bring in detailed information from contractors, including the company names, cost estimates, time frames to make the house habitable, as well as provide HAB with financial proof of ability to get the job done by or before November 14th. **Mr. Gundelsburger** second the motion. All voting members voted. Chair Gamblin called for a vote and the motion passed unanimously.

Recalling Case No. EN23-1652 Ethel Thames is appealing the First Administrative Penalty for 1610 McDonough Street, Sandusky, Ohio 44870 Parcel Number 58-02448.000. **Ms. Sherry Thames** stated that she lives at 1610 McDonough Street and that the step crack in the garage wall has been fixed. She testified that she would be starting a new job November 1st and would be handling the financial part of getting the repairs done. **Discussions.** The City's Beautification Program has \$31,000.00 available and they were encouraged to contact Debi Eversole to apply now. Ms. Eversole's

contact information was given to Thames; that the program gives matching funds to applicants; Officer Snyder provided them with the name of the YES program who would paint the house in the springtime for free, if the City did not approve their application for the grant; it was explained that their timelines would be pushed out due to the upcoming inclement weather; there is superficial work to do on the garage and painting of the house; and that they stay in contact with Mr. Snyder and Code Compliance. **Mr. Gundelsberger** Made a motion to suspend the First Administrative penalty based on the Thames moving forward with the repairs. **Ms. Gamblin** second the motion. All voting members voted. The motion passed unanimously.

Case No. EN22-2228 Renee Hahn is appealing the First Administrative Penalty for 904 Fourth Street, Sandusky, OH 44870 Parcel Number 57-01890.000. Ms. Renee Hahn stated that she resides at 1005 Third Street and that she was able to complete one section of her project done but not everything; the cedar siding in the back of the house was washed down & weather proofing paint was applied; Helen (Thompson) gave her the name of a contractor named Gabe to help her work on the siding; he was unable to reach some parts of the house; **Discussions** Where was she with speaking to her financial institution (Vacationland), if she qualifies for home equity loan, that she explores with the Debi Eversole (Community Development), and other agencies. **Ms. Hahn** Stated that she received out to SOS and CAC, and that she could not go to the bank to ask for a loan for money she could not payback and that she would not be doing that. The same would go for the Beautification Program. **HAB** Reminded Ms. Hahn of her statements regarding her car would be paid off in January 2024 and that \$300-\$400 would be freed up and to stay in communication with Code Compliance Office. **Ms. Hahn** Stated that her car would be paid off in February 2024 and she would like to pay off her credit card debts to establish emergency funds available. She stated that it needs a little painting which she has the paint (5 gallons) and 8 strips of siding and that the house is not falling apart or caving in. **Mr. Snyder** Stated there are birds living in the eaves on the Northside and that their actions would cause damage to the interior structure. **Mr. Gundelsberger** made a motion to table for 120 days moving closer towards Ms. Hahn paying off her car an opportunity to start generating funds to put towards the repair projects. **Ms. Maczuga** second the motion. All voting members voted. The motion passed unanimously.

7. New Business

Case No. EN23-0241 Jerry Burkett is appealing the 2nd Administrative Penalty for 817 Polk Street, Sandusky, OH 44870 Parcel Number 58-01652.000. *Code Compliance Officer Ron Snyder* testified that on 02/14/2023 while in the field he observed a number of environmental housing infractions and concerns at the residence: **Violations: Eave Condition 1341.13(a)(1) Every eave shall be reasonably weather-tight, watertight, and rodent-proof and shall be kept in sound working condition and good repair; Soffit is hanging and/or loose – west side of residence. Missing soffit east side of residence.; Gutter Installation 1341.13(a)(2) All gutters shall be properly installed in an approved manner; Residence absent gutters; Downspout Installation 1341.13(a)(2) All downspouts shall be properly installed in an approved manner. Residence is absent downspouts, excluding those areas that downspouts are free standing (not attached to a gutter) – east side of front porch & north/west corner of the residence. Exterior Surface Maintenance 1341.13(a)(4) All exterior surfaces of buildings on a premises shall be clean and maintained in good repair so as to provide sufficient covering and protection of the structural surface underneath against deterioration, with paint, stucco, aluminum, vinyl siding or other approved exterior grade waterproofing materials, applied in an approved manner, and of a uniform color and appearance to match or complement the other structural surfaces on the premises. Without limiting the generality of this section, an exterior surface of a building shall be deemed to be out of repair if the surface is blistered, cracked, flaked, scaled or chalked away, or is loose or has fallen. Section of railing on the front porch is exposed wood, that now appears weathered, is without proper covering (ie. paint, vinyl, etc.).** A section of soffit that was hanging loose on the west side of residence and a section that was missing on the east side of residence. The residence was absent of gutters and downspouts (excluding those areas that downspouts are free standing - not attached to a gutter) – east side of front porch & north/west corner of the residence. A section of railing on the front porch is exposed wood (that now appears weathered) is without proper covering (ie.; paint, vinyl, etc.). As

a result, a Notice & Order of Violations letter was drafted and forwarded to the property owner, Jermaine Burkett and a follow-up inspection was scheduled for 05/17/2023. On 02/17/2023 Mr. Burkett contacted Mr. Snyder concerning his receiving the Notice & Order of Violations letter and he advised that the issues observed were already in the process of being addressed, weather conditions what has halted process. Mr. Burkett re-assured Officer Snyder that once the weather breaks, the issues will be addressed. On 05/17/2023 - No changes to the property and an extension was granted due to the weather conditions and a courtesy letter sent reflecting the same and next inspection scheduled for 06/21/2023. On 06/21/2023 upon conducting the said inspection, no work had been done to property and no updates were provided by Mr. Burkett, an administrative penalty was assessed in the amount of \$100.00 and a Notice of First Administrative Penalty - Failure of Owner to Correct Violations Letter was sent to Mr. Burkett along with an invoice. On 07/21/2023 Owner left Mr. Snyder a voice mail indicating that he was able to speak with his contractor and had a conversation concerning his timeline and really didn't want to be penalized again. His contractor informed him that he would be able to get to his property within the next two (2) weeks. On 07/25/2023 taking into account the aforementioned, an extension was granted and the next inspection date scheduled for 08/28/2023. On 08/28/2023 an inspection revealed that no work had been done. Like before when the owner asked for an extension, the extension was granted and still no work since it was initially written. A 2nd Administrative Penalty was administered for \$500.00 and correspondence was sent, along with an invoice and the next inspection scheduled for 10/02/2023. On 09/13/2023 Mr. Burkett contacted Code Compliance concerning his property and questioning why he was penalized again. It was explained to him that it was due to the fact that all of the violations were still present. He then claimed that he had called for an extension. Code agreed and informed him that this was back in July (four days prior to the next inspection) and was given the extension on the next inspection, which was 07/25/2023 (see above). It was reiterated that he claimed his contractor would be addressing the issues in two weeks. Mr. Snyder explained that on 08/28/2023 inspection was well past this time frame and if in fact his contractor would have at least started doing something, Code would have extended the timeline. Mr. Burkett was asked when the last time it was that he had been to "his property?" he claimed approximately a month ago. When asked about the status of the property, he claimed that all the infractions have been fixed (were not prior to the inspection date). Mr. Burkett was advised that Inspector Snyder would go by the Polk St. address to check on the status. Regardless of what the Inspector observed, he would need to file an appeal regarding the last Administrative Penalty. It should be noted that he has yet to pay for the First Administrative Penalty from 06/21/2023. He was further advised that the Inspector would be in touch. The property was checked and found where the gutter, downspout, and eave issue had been addressed. However, the paint concern was still in existence. Photos were taken and emailed to Mr. Burkett, explaining that on the next inspection date, 10/02/2023, Mr. Snyder would give him an extension because of the work done and would then push his timeline out to the early part of November, which would give him a month and a half to get the paint concerns on the front porch addressed. On 10/02/2023 all issues addressed, case closed, however, Mr. Burkett filed an appeal for the 2nd Administrative Penalty. **Mr. Jermaine Burkett** stated for the record that his name is Jerry Burkett and his residence is 140 Country View, Bellevue, Ohio. He testified that he was unsure as to what a picture of his residence had to do with his appeal to the 2nd Administrative Penalty for 817 Polk Street. He wasn't concerned about the 1st Administrative Penalty and he spoke with Mr. Snyder that he had contractor on the job but were doing the job; his goddaughter was helping him contact and make appointments with contractors to do the work; he agrees with Ron's timeline as being "fairly close" and that he emailed him. He further stated that he did not know if the property had passed or failed the reinspection. He stated that Inspector Snyder replied to his email on 09/13/2023 via text only saying "test". He later called the inspector and told him work was done and Mr. Snyder told him that he should visit his property more often. He stated that he has owned the property for 37 years and that he never complained about the properties around his which should have been condemned. His property brought up their property values. **Discussion** Regarding outstanding payment for the First Administrative Penalty, failure to file a timely appeal to the Second Administrative Penalty and lack of communication with Code Compliance Officer. **Mr. Gundelsburger** made a motion to deny Mr. Burkett's appeal. **Chairperson Gamblin** second the motion. All voting members voted. There were 4 "yes" votes and 1 "no" votes. The motion passed.

Case No. EN23-1889 Neil Reiter is appealing the 2nd Administrative Penalty for 915 First Street, Sandusky, Ohio 44870 Parcel Number 57-03170.000 Code Compliance Officer Ron Snyder testified that responding to a Citizen's complaint concerning a fence at 915 First Street. On 07/21/2023 he observed the fence in question to the east side of the parcel to the rear of the residence. The Environment Health Violation was noted as follows: ***Fence Maintenance 1341.13(a)(6) Every fence shall be maintained in a safe condition and in good repair. The wooden fence to the east side of your property is weather-beaten, has broken and missing slats, and is leaning eastward, structural integrity and will need to be addressed.*** As a result of this inspection, a Notice & Order of Violation letter was sent to the owner(s) and a follow up inspection scheduled for 08/24/2023. On 08/24/2023 a reinspection revealed that nothing had been done to address the issues nor contact made by the property owners to Code Compliance Office regarding the write-up. And for those reasons an Administrative Penalty was administered for \$100.00, correspondence sent along with an invoice and the next inspection was scheduled for 09/28/2023. On 09/29/2023 an inspection revealed nothing had been done to the fence, no contact from the property owner(s) and subsequently, a Second Administrative Penalty was administered for \$500.00, correspondence sent, along with an invoice and the next inspection scheduled for 11/02/2023. On 10/09/2023 Mr. Reiter filed and paid in-person an appeal to the Second Administrative Penalty noting that there was no contention that the fence needs work but since the property is in contract nothing will be done and it will be left up to the new owner. On 10/31/2023 After checking the Erie County Auditor's page, the property officially transferred to the new owner as of 10/20/2023. **Discussion** That Mr. Reiter is no longer the property but he was the owner when the penalties were administered against him and the property; administrative penalties will follow the owner/individual and not the property unlike grass and nuisance abatements which stays with the property; and timelines. **Mr. Neil Reiter** stated that he resides at 9615 State Route 99, Monroeville, OH. He admitted that he should have paid for the First Administrative Penalty and will do so but did not agree to the Second Admin. Penalty due to the fact that he was in a contract to sell the property and there were issues that delayed the sell. Mr. Reiter stated that the fence he did not put the fence up, it does not belong to him and that he's unsure who owns the fence. He stated that when he purchased the property 30 years ago there was a chain linked fence there and that he believed Mr. Charles Wagner at 919 First Street put the fence because Mr. Wagner had an ongoing dispute with his tenants at 915 First Street. **Ms. Maczuga** made a motion to grant Mr. Reiter's appeal and ordered him to pay the First Administrative Penalty. **Ms. Gamblin** second the motion. All voting members voted. The motion passed unanimously.

8. Adjournment

A motion moved to adjourn the meeting by Mr. Gundelsberger and second by Ms. Maczuga. All members approved of the motion, and the meeting ended at 5:31 PM.

Next meeting: November 28, 2023

APPROVED:

Treka D. Parker, Clerk

Dana Gamblin, Chairperson