

MINUTES
BUILDING BOARD OF APPEALS
January 15, 2015 2:00 p.m.
City Commission Chambers

CALL TO ORDER

Mr. McNutt called the meeting to order at 2:45 p.m.

ROLL CALL OF BOARD MEMBERS

Members Present: Richard Emig, Charles Kiplinger, David Hyde, Gary Wark

Members Absent: Linda Servis

City Staff: Robert McNutt, Building Official; Deanna Benthin, Recording Secretary

APPROVAL OF PREVIOUS MINUTES

This is the first meeting of new board, no previous minutes.

INITIAL HEARINGS

There were no hearings.

NEW BUSINESS

Election of Officers:

A motion was made to nominate Richard Emig for Chair and Charles Kiplinger for Vice-Chair, motion approved by roll call vote.

Mr. McNutt provided the Board with a packet containing a copy of the Roberts Rules of Order for reference. He asked the Board members to review the Rules and Procedures for the BBA. Next month the Board would review the rules and have a discussion on the procedures, make possible changes or any additions to the rules and vote on the rules at the next meeting. Included in the Boards packet was the Rules and Procedures from the Dangerous Buildings Board and he asked them to review those and see if they wanted to include anything. A copy of the Housing Code was provided to the members and he referenced the link to the International Property Maintenance Code.

Mr. McNutt commented on the Dangerous Buildings portion of the Board. Staff members from Community Planning and Development will bring recommendations to the Board and

recommend the Board to issue an agreement that the property is a dangerous and/or blighted building. These buildings will have issues with construction, being a public nuisance, boarded, open to casual entry and are considered dangerous to the public. The Staff will ask if they believe this property is a dangerous building to give a timeline to the owner to obtain permits, make repairs, if the owner fails to meet the conditions, he'll ask the Board give the City permission to rectify the dangerous building. Members will receive an agenda packet approximately two weeks prior to the meeting with pictures, a background on the property, why it's being cited and why the DDB bringing it to the them. The homeowner will address the Board and make their case, and then the audience can speak of their concerns regarding the property also.

Mr. McNutt stated the Housing Board of Appeals portion is similar. The owner is appealing the City's interpretation of a code. Possibly a house the owner wants to use as a rental property, they don't meet the intent of the code or have been cited by the Housing Inspector's and the owner is appealing. An egress window may be too small, or the head height is too small, a railing is too short. Both Boards give the owner's the right to appeal the interpretation of the code.

Mr. Emig questioned the City's vacant property, where squatters may be living in it or property's where landlords may be renting uncertified property. He asked how the City is trying to find these properties. Mr. McNutt commented if the property is tax foreclosed it belongs to the county and the county has to deal with it as a civil matter. A condemned building is not to be habitable, if they find someone living in it; the City can't just remove the people from the property. The City can use legal powers to file charges against the inhabitants. If there is an emergency or life safety issue the City Fire Marshal or Public Safety can immediately remove the occupants.

Ms. Miller stated as the Housing Staff becomes aware of properties having a squatter or other issues they address it right then. Staff would require the owner bring the property into compliance, register it as a rental. Currently, people are buying properties from the tax sale and renting them out without registering it. We usually become aware of the properties through the tenant making a complaint, or a neighbor complaining.

Mr. Mc Nutt commented for the need for additional members on the board. He introduced Emily Parfet, she stated she was a real estate agent and has a number of rentals in the city and surrounding area. She stated she has a willingness to serve and respects all the safety issues. Mr. Emig moved to nominate Emily Parfet to be a Board Member, supported by Mr. Wark. Mr. McNutt stated the next step would be to send the recommendation to the City Commission to fill the board vacancy.

Mr. Hyde questioned how many members constitute a full board? Mr. McNutt stated seven members. He would like to have someone with a background in construction. They must either live in the city or own a business in the city. Ms. Miller stated she received a name of an architect from a previous member.

Mr. Emig clarified there are no hearings, no new reports, and the announcements have been made.

ADJOURNMENT

With a unanimous vote the meeting was adjourned at 3:45p.m.

Submitted by: Deanna Benthin Date 2/19/15
DBB Recording Secretary
Deanna Benthin

Reviewed by: R. McNutt Date 2/19/15
Building Official
Robert McNutt

Approved by: Richard Emig Date 2/19/15
BBA Chair
Richard Emig