

**ADMINISTRATIVE VIOLATION REVIEW BOARD
MEETING MINUTES**

Tuesday, March 6, 2018 – 1:00pm
City Hall, Fourth Floor Conference Room

	<u>Name</u>	<u>Attendance</u> (mtgs attended-mtgs absent)	<u>Term of Office</u>
MEMBERS PRESENT:	Pat Benedict	(36-6)	4/29/22
	Michael Comella	(33-1)	5/27/19
	Becci Goodwin	(28-3)	4/29/18
	Michael Grimm	(39-3)	4/29/20
	Isobel McGowan	(38-4)	4/29/21
MEMBERS ABSENT:	None		
OTHERS PRESENT:	Walt Hughes, Property Maintenance Manager Sheri Whetstine, Property Maintenance Inspector Carol Flury, Recording Secretary		

2018 MAY - 4 PM 3:56
CITY CLERK

ROLL CALL – Five (5) members were in attendance; quorum present. Grimm - present, McGowan – present, Pat Benedict - present, Comella - present, Goodwin - present.

Grimm called the meeting to order.

APPROVAL OF MINUTES – February 6, 2018

A motion was made by Grimm to approve the minutes from February 6, 2018; second by Comella.
VOTE: 5 Ayes, 0 Nays. MOTION PASSES.

NEW BUSINESS

- **CASE NUMBER AP18-25119** - A request for review by Randy J. LaFollette, 916 South 18th Street, for Violation 15-51 (b) – Use of Solid Waste Storage Containers Required – for failure to maintain area around the trash containers in a clean and sanitary condition viewed on 1/22/18 - reference PM18-04670.

Whetstine presented her case. On January 22, she inspected the property and observed large amount of scattered trash and debris around the dumpster. An immediate citation was issued to Randy LaFollette, owner, for failing to keep the area around the dumpster in a clean and sanitary condition. Since this was a duplex, the citation was issued to the owner of the property. An immediate citation was issued due to the fact that Mr. LaFollette was aware of the ordinance and has been notified in writing and by phone calls in the past. He had been told that the properties need to be monitored to ensure they need code without her calling him.

Mr. LaFollette explained that he has seventy-five units and cannot monitor them all. He stated that he had talked to the tenants. The problem is that the trash haulers won't shut the lid to the dumpster and trash blows out. He had talked to the trash haulers and told them there is an ordinance that they had to close the lid but they will not do it. The lid is heavy and tenants can't close it. It was asked if Mr. LaFollette could have a couple of his tenants together close the lid weekly after trash pickup and he stated he would talk to the tenants.

Board members discussed the case and agreed that keeping the lid closed would help this from happening again. Mr. LaFollette said that neighbors with no trash service come and dump in his dumpster. Whetstine stated that she had addressed them at the same time she addressed this issue with Mr. LaFollette and the neighbors have been issued a summons to appear in court. Benedict wants a solution so that this doesn't happen again.

Grimm stated that there was no ordinance making trash haulers close the lid and that it is the owners/tenants that must make sure the lid is closed.

A motion was made by Grimm to affirm the citation AP18-25119. **VOTE:** Grimm – nay, Comella – nay, McGowan – aye, Benedict – nay, Goodwin - aye. Ayes - 2, Nays - 3. **MOTION NOT APPROVED**

Board's recommendation was to dismiss the fine.

OLD BUSINESS – none

NEW BUSINESS

Grimm read the limited scope of duties that the AVRB is currently working under. He presented a letter that he had drafted to the Council and City Manager stating the proposed expanded AVRB's duties. He believes that now, more than ever, the property maintenance codes and enforcement will play a major role in reduction of crime, increased economic development and make our city more presentable for visitors and citizens alike.

The Board discussed the letter. McGowan would like to make sure that this letter gets to City Council requesting this Board of concerned citizens have the ability to make recommendations for changes to the code that would result in the betterment of the appearance of our city. They discussed when the letter should be presented to council. They decided to wait for the new council. Benedict questioned whether more codes would be wise when we can't enforce what we have – we can't seem to make progress. Grimm stated that sometimes codes are in place but they are very vague and sometimes unenforceable. We can't expect the council to know the property maintenance codes and enforcement; he thinks that is where they can come in to advise them how to change or tweak the codes to make them more enforceable so they bring about resolution.

McGowan stated that as the Board hits on all of these “hot button” issues and gain insights from the people that come before us and from the input we get from the public, that they can formulate a recommendation, vote on it as a board and send that recommendation to City Council.

OPEN DISCUSSION

The public and Board discussed different ideas such as a comprehensive trash collection, neighborhood services, and education. Myers stated they need to see what other cities are doing and make sure that staffing is adequate. He feels municipal trash service is a big part of the solution.

O’Dell stated that the Board does not need to wait until next council, send the letter now. He expressed that they want to hear from them and will be responsive.

The public, landlords, councilmembers, candidates and the board agreed that they wanted to work together to come up with solutions.

A motion was made by Grimm to send the letter to Council. **VOTE:** Grimm – aye, Comella – aye, McGowan – aye, Benedict – aye, Goodwin - aye. Ayes - 5, Nays - 0. **MOTION APPROVED**

The Board agreed to send the letter to Council now.

ADJOURNMENT

Grimm called the meeting adjourned. Meeting adjourned at 2:30 p.m.