

Special Magistrate Hearing Minutes
August 16, 2022
5:30 p.m.
Council Chambers

Call to Order

1

Special Magistrate S. Taylor called the meeting to order at 5:31 p.m.

2

Administration of oath to staff/ Respondents /Witnesses

Special Magistrate S. Taylor swore in the parties present for the quasi-judicial segments of the Hearing.

3

Red Light Hearings

No hearings were scheduled.

4

Code Enforcement Hearings

4.1. Case 22-890

Special Magistrate S. Taylor opened Case 22-890, 407 S. Lincoln Street, respondent is listed as Deborah Harper. He called for Ms. Deborah Harper and noted she was not present.

Code Enforcement Officer Deborah Lawson presented the case noting that the violations and notes of same are included in the attached documents and went over the mailings, postings at property and City Hall, as well as the Notice of Public Hearing, as per State Statute. She requested that Exhibits 1 and 1a be entered into the record, and Special Magistrate S. Taylor accepted Exhibits 1 and 1a into the record.

Code Enforcement Officer Deborah Lawson noted the graffiti and an unsafe structure, as well as an unsafe accessory structure. Special Magistrate S. Taylor asked if the pictures were accurate and a true depiction of the property, and she replied they were.

Special Magistrate S. Taylor noted the violations and asked Building Official, Ronnie Raybon, to address the violations. Mr. Raybon noted the property is still in violation.

Special Magistrate S. Taylor reviewed the documents and concluded that the property did stand in the violations, as presented.

Special Magistrate S. Taylor ordered that on or before September 16, 2022, the \$250 administrative fee is to be paid, and if the property is not brought into compliance by September 16, 2022, a \$250 a day fine be assessed with an annual interest of 6.77%.

4.2. Case 22-894— Case was brought into compliance prior to the Hearing.

4.3. Case 22-917

Special Magistrate S. Taylor opened Case #22-917, 1559 Texas Parkway, respondent listed as Doris Farewell. He noted the respondent was not present.

Code Enforcement Officer Deborah Lawson presented the case. She noted the violations and went over the mailings, postings at City Hall and the property, as well as the Notices of Hearing per State Statute. She asked that Exhibit 3 and 3a be entered into the record. Special Magistrate S. Taylor accepted Exhibit 3 and 3a into the record.

Special Magistrate S. Taylor asked if the pictures were accurate and a true depiction of the property, and staff replied they were. Special Magistrate S. Taylor asked Building Official, R. Raybon, to address the violations. Building official, R. Raybon, noted the violations stating they are not in compliance. He added the structure needed to be removed.

Special Magistrate S. Taylor ordered that on or before September 16, 2022, the \$250 administrative fee is to be paid, and if the property is not brought into compliance by September 16, 2022, a \$250 a day fine will be assessed with an annual interest of 6.77%.

4.4. Case 22-531

Special Magistrate S. Taylor opened Case 22-531, 414 Church Street, with the respondents listed as Timothy and Brenda Reiling. He called for the respondents. Brenda Reiling stated she was present.

Code Enforcement Officer M. Tatom presented the case noting the violations and notes of same are included in the documents presented. She mentioned the structures need repair and there is a derelict structure on the property. She went over the mailings of notices, postings on the property and City Hall and Notices of the Public Hearing per State Statute. She asked that Exhibits 4 and 4a be entered into the record. Special Magistrate S. Taylor accepted Exhibit 4 and 4a as into evidence for the record.

Special Magistrate S. Taylor asked if the pictures were accurate and a true depiction of the property, and staff stated that they were. Special Magistrate S. Taylor asked if the respondents have made any attempt to bring the property into compliance, and Code Enforcement Officer M. Tatom replied there were some attempts.

Special Magistrate S. Taylor asked Building Official, R. Raybon, to address the violations, and he said he has met the property owners and family, adding they have made some attempts. The work needed did not require obtaining a permit. Ms. Reiling presented her case stating her daughter and son-in-law live in the house. She said her son-in-law has been working on trying to clean up the property. The roof on the outbuilding was put on hold to address the main structure. She did not dispute

the violations.

Special Magistrate S. Taylor said safety is an issue. He asked for a time frame for compliance, and Ms. Reiling asked for a six-week extension. She added her husband has health issues, so he has not been able to help.

Special Magistrate S. Taylor ordered a 60 day extension to bring the property into compliance on or before October 17, 2022. He said as the owner of the property, it is their responsibility to maintain the property. He waived the cost of the \$250 administrative fee. However, he ordered if the property is not brought into compliance by October 17, 2022, a \$250 a day fine will be assessed with an annual interest of 6.77%.

In response to Ms. Reiling, Code Enforcement Officer M. Tatom mentioned that the debris and tires need to be removed and items need to be stored properly.

4.5. Case 22-643

Special Magistrate S. Taylor, opened Case 22-643, 604 Brock Avenue, respondent listed as heirs of Trudy Pittman and no one came forward.

Code Enforcement Officer M. Tatom presented the case. Violations were noted, and she went over the mailings, postings at City Hall and the property, as well as the Notices of Hearing per State Statute. She asked that Exhibit 5 be entered into the record. She went over the dates of the reinspections stating the respondent is still not in compliance. Special Magistrate S. Taylor accepted Exhibit 5 into the record.

Special Magistrate S. Taylor asked if the pictures were accurate and a true depiction of the property. Code Enforcement Officer M. Tatom responded the pictures are accurate. She added the niece lives at the residence.

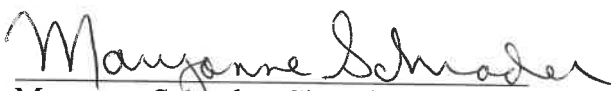
Special Magistrate S. Taylor ordered that on or before September 16, 2022, the \$250 administrative fee is to be paid, and if the property is not brought into compliance by September 16, 2022, a \$250 a day fine be assessed with an annual interest of 6.77%.

4.6. ~~Case 22-1018~~—Case was removed prior to the Hearing for compliance.

5 Adjournment

Special Magistrate S. Taylor adjourned the meeting at 6:00 p.m.

Submitted by,



Maryanne Schrader, City Clerk

Proper notice having been duly given