

Community Compliance Subcommittee Meeting Minutes

July 19, 2021

Present: Greg Hudson, Council Member
Kevin Trevillyan, Council Member
Joe Cory, Deputy Public Services Director
Jessica Spoden, Assistant City Attorney
Rod VanGenderen, Chief Building Official, Development Services

The meeting was called to order at 4:31 PM. Councilman Greg Hudson facilitated the meeting.

1. Review of Minutes from April 19, 2021

Approval of minutes – Moved by Councilman Hudson, seconded by Councilman Trevillyan.

2. 305 7th Street

This property previously was an old church with adjoining house. Currently there are several junk items, construction debris, and inoperable and unlicensed vehicles on the property and multiple complaints have been filed from adjacent property owners. There have also been complaints of tall grass/weeds. The current property owner has had several violation notices and fines over the last few years, but at various locations.

Assistant City Attorney Jessica Spoden stated that a municipal infraction must be served to the property owner to fine him and to tow the vehicles. The owner on record on the assessor website is listed as BHK Housing LLC. BHK Housing LLC is not registered in the state of Iowa, so Legal would need to work with the seller, Junction Holdings of Iowa, to determine who to serve with the municipal infraction.

Direction: Legal will communicate with Junction Holdings of Iowa to get information on the individual they worked with on the sale of the property to serve the municipal infraction.

3. Burch Auto Repair – 1021 Railroad Avenue

Community Compliance has received complaints about junk and debris and noxious fumes from what appears to be a mobile paint sprayer used for engine parts. Community Compliance has asked the owner to notify them the next time the mobile paint sprayer is used to determine if it meets a noxious fumes violation. The property owner has applied for a fence permit.

Direction: Assistant City Attorney Jessica Spoden will talk with the owner about the mobile paint sprayer to get an idea of how often it is used, to determine if any further action is required.

4. **821 Ashmore Circle Update**

Community Compliance has confirmed that water service is still active at the property. Currently, no outstanding issues on the property.

Direction: Staff recommends closing out this case. Council members agree with staff recommendation.

5. **600 24th Street Update**

The shingles on the garage have been repaired. Chief Building Official Rod VanGenderen drove by the property on July 19, 2021 and did not see any more concern with the structural integrity of the garage.

Direction: There is no immediate action to take on this case and staff recommends closing out the case. Council members agree with staff recommendation.

6. **Review Reports**

The deadline for residents in the 2021 Sidewalk Program to turn in the Hold Harmless agreement is July 31, 2021. After that date, repairs can commence.

7. **Other Matters**

A. **112 & 116 12th Street**

When the current owner purchased these two properties, there were dilapidated houses on each lot. Both houses have been demolished and now there are between eight (8) to nine (9) PODS on the lots that have been there for nearly eighteen (18) months. There have also been complaints of tall grass and construction debris. Deputy Public Services Director Joe Cory spoke with the owner who stated he has building materials in four (4) of the PODS and his intent is to construct a commercial building similar to the one at 1611 Fuller Road. The owner also indicated he would remove the concrete debris, move the PODS that aren't storing construction material, and contact the building department to get the necessary permits.

Council member Kevin Trevillyan expressed his dissatisfaction that the PODS have been there for so long with nothing being done until now and recommends initiating legal action as soon as possible. Assistant City Attorney Jessica Spoden stated he is in violation of zoning by having an accessory structure (PODS) on a site that doesn't have a primary structure.

Direction: Proceed with legal action regarding the PODS.

B. 205 4th Street

This property has not had any siding for several years and is consistently under construction. Deputy Public Services Director Joe Cory met with the property owner and advised that visible improvements on the siding need to be done. The property owner stated she would work on siding on the 4th street frontage side first, then work on the Maple-facing side.

Direction: Information Only.

C. 84th & Aspen

At 84th & Aspen, heading east, there are three (3) lots that share property along the fence line of the detention facility behind the homes. They all received notice to mow along the fence line of the detention facility.

Direction: Information Only.

D. 325 S 88th Street

A violation notice was issued to this property for tall grass, junk/debris, and operating a business. The property was purchased by a Scott Hughes in 2014, who then transferred title to Ultimate Leasing, which shared an address with Mr. Hughes. The notice of violation was delivered in a door hanger to Mr. Hughes at his home on 7930 Cody Drive. The complaint also stated that a business appeared to be operating out of the pole building on the property. Upon inspection, there was an issue with tall grass and weeds and junk around the property, in addition to seven (7) to eight (8) licensed and operable vehicles parked by the pole building. After the notice was issued, title was transferred to North American Hearing Aid Network LLC, again sharing an address with Mr. Hughes on Cody Drive. In the past there have been multiple trucks with snowplows parked at the 325 S 88th Street property in addition to numerous business-related items like large storage tanks, stacks of wood pallets, etc. Mr. Hughes' attorney has since asked for an administrative hearing in response to the Notice of Violation and all documents pertaining to this case via an open records request. A hearing has been scheduled.

Direction: Information only.

8. Citizen's Form – None

The meeting adjourned at 5:16 PM. Respectfully submitted by Kim Pinegar, Administrative Secretary.