

Community Compliance Subcommittee Meeting Minutes

October 17, 2022

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

The meeting was called to order at 4:35 PM. Councilman Kevin Trevillyan facilitated the meeting.

1. 305 7th Street Update

Assistant City Attorney Jessica Grove provided an update on this property. A judgement was granted against the property. The property owner appealed the judgement, but the City won the appeal. The property owner has the opportunity to review the appeal for a discretionary review. The property owner claims he is being harassed by the City. City staff presented evidence of the numerous complaints about the property and the property owner was in court last year for the same issues. There is an unredeemed tax sale on the property, which the property owner has until 2024 to redeem. If the property owner does not redeem the tax sale by the 2024 deadline, the City will send notice of the civil infraction to the court. The property owner has indicated to staff that his intention is to separate the two connected buildings, but the lot is currently lot-tied. It could legally be two separate lots again, but that requires approval by the Council and the property owner has not taken any steps to date to go through that approval process.

Direction: Information only.

2. 1025 Maple Street Update

Assistant City Attorney Jessica Grove provided an update on this property. This property is an instance of a habitual offender. Notice is served to the property owner, who then cleans up the property, but within a few days the same issues are present. The property owner was recently cited again, and the City's contractor is in process of removing all junk and debris again. Assistant City Attorney Grove said the City has chosen to proceed with administrative abatement because the property owner is on disability payments. Assistant City Attorney Grove advised staff that the next time there is a violation, there is no need to give notice to the property owner, it will proceed directly to court action. The City had a court case with the property owner in August 2020 and since then there have been three administrative abatements on the property, which have totaled over \$7,800.00.

Direction: Information only.

3. **325 88th Street Update**

Assistant City Attorney Jessica Grove provided an update on this property. There is some type of excavation/landscaping business being operated from the property. The property is land used for medium density residential but there is no home on the property. Scott Hughes is the president of North American Hearing Aid Network, which is the property owner. The property is being leased as an excavation/landscaping company. There is a claim that this property was also being used as a business by the previous owner, but the County never approved use of the property as a business. The City has filed a civil infraction against Scott Hughes. Assistant City Attorney Grove is waiting on a response from Mr. Hughes' lawyer to set a date for a hearing.

Direction: Information only.

4. **1021 Railroad Avenue Update**

Assistant City Attorney Jessica Grove provided an update on this property. Joe Burch is in the process of buying the property and is waiting until he takes the title before he submits a permit to build the trash enclosure. All other previous issues on the property have been taken care of.

Direction: Information only.

5. **VJ Trash Enclosures Update**

There are still 16 properties that have not complied with enclosing their trash receptacles. Of those 16, only one has filed a minor modification application to Development Services to build an enclosure. Staff is seeking Council input on what the next steps should be. Council Member Trevillyan suggested giving them until next spring, due to supply chain issues and difficulty in finding contractors to do this type of work. Assistant City Attorney Grove advised staff to send a third notice to the remaining properties with a deadline of May 1, 2023. Assistant City Attorney Grove also suggested to include in the third notice information on contacting Community Compliance to advise why they have not yet completed the trash enclosure.

Council Member Trevillyan asked about other properties in the City that are in violation of the trash enclosure code. Fire Station 17 and Water Works were specifically discussed. Fire Station 17 has an approved design for construction of a trash enclosure. Water Works has construction of a trash enclosure included in a CIP project. Assistant City Attorney Grove confirmed the trash enclosure ordinance has been in effect since 1996 and agrees with Public Services Deputy Director Cory that not having the enclosure is a health and safety issue and that is the reason why properties cannot be grandfathered in on the ordinance. Staff will continue to issue violation notices on properties in the City that are not in compliance on this code.

Direction: Staff will draft a third notice to send to the remaining Valley Junction properties.

6. **Other Matters**

- A. A brief review of the due process for code violations was discussed.
- B. Public Services Deputy Director Cory provided an update on trees in the ROW in the Valley Junction area alleyways. The City Forester and staff are cleaning up trees in the City ROW in alleyways in the Valley Junction area. They started on 1st Street and are moving west; they are currently on 3rd Street. Any private property that has trees that need trimmed or pruned will be given notice.

Direction: Information only.

7. **Citizen's Forum** – None.

The meeting adjourned at 5:25 PM. Respectfully submitted by Kim Pinegar, Administrative Secretary.