



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 12, 2006

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN HARSIN

Consent Discussion

SUBJECT: Public hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess the City's liability for the property located at 4049 Elkrigde Drive. PROPERTY OWNER: AARON E. BAILEY Ward 6 (Ross)

Fiscal Impact

No Impact

Augmentation Required

Budget Funds Available

Dept. Division: Neighborhood Services/Response

Amount: \$2,925.00

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Weaver Construction, Inc. to remove refuse, trash, debris, litter, all overgrown vegetation, dead, dry vegetation exceeding 8 inches in height and posting No Trespassing, No Dumping, No Vehicles signs on site. To date, there have been eight (15) inspections conducted at this location. The value of the property based on the sale date of April 2003 was \$148,000.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$2,925.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by STEVEN D. ROSS to Approve subject to an added condition that the property be in compliance by 9/1/2006

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

A video was shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

STEVEN HARSIN, Director of Neighborhood Services, read the purpose/background regarding the condition of the property as a public hazard and attractive nuisance requiring the described abatement. The value of the property on the sale date of April 2003 was \$148,000 and the case has been active since November 2, 2005. Upon 15 inspections of the property, MR. HARSIN recommended the City Council approve the report of expenses in the amount of \$2,925; \$700 to Weaver Construction; \$325 for boarding and building certificate fees; \$1,450 in civil penalty fees; \$345 for reinspection fees and \$105 in administrative fees. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

AARON BALL indicated that the overgrown vegetation is in his neighbor's yard, but he will try to take care of the rest of the debris. He explained that since his property caught fire, he has accumulated several donated items from friends for his home, and when his property was cleaned a half pallet of dry wall mud needed to be removed. He homes remodeling was removed. OFFICER KELLY OLIVARES indicated that pictures taken on 7/11/06 showed boxes of construction materials, a mattress, furniture and household items in addition to overgrown vegetation. MS. OLIVARES stated that the vegetation would need to be addressed by the area Code enforcement officer, as she was only involved with the vacant building.

COUNCILMAN ROSS expressed disappointment about the property's 87 citations and urged that Codes must be followed. MR. BALL indicated he was using the equipment to rebuild his home. MR. HARSIN indicated that the applicant could be assessed \$500 a day immediately. MR. BALL understood that that amount was for the window boarding.

MAYOR GOODMAN declared the Public Hearing closed.