



*Las Vegas*

Agenda Item No.: 43.

**AGENDA SUMMARY PAGE  
CITY COUNCIL MEETING OF OCTOBER 17, 2007**

**DEPARTMENT:** NEIGHBORHOOD SERVICES  
**DIRECTOR:** STEPHEN KUHARSIN

Consent  Discussion

**SUBJECT:** Public Hearing to consider the report, expenses to recover costs for mitigation abatement of vacant or abandoned building and assess special penalties located at 371 Maydelle Place.  
**PROPERTY OWNER:** DAVID B. SHEPHERD (\$10,061.50 General Fund) - Ward 3 (Reese)

**Fiscal Impact**

No Impact  Augmentation Required

Budget Funds Available

**Amount:** \$10,061.50

**Funding Source:** General Fund

**Dept./Division:** Neighborhood Services/Response

**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 C. W. Enterprises. To date, there have been forty (40) inspections conducted at this location. The value of the property based on the sale date of August 2005 was \$40,000.

**RECOMMENDATION:**

That the City Council: Approve the report of expenses for the mitigation abatement completed by C. W. Enterprises, in the amount of \$10,061.50, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Maps
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 GARY REESE to Approve

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

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

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Videotape played as DEVIN SMITH, Manager of Neighborhood Response, summarized the Purpose/Background and read the Recommendation. He also outlined the various actions taken by C. W. Enterprises to correct the situation.

MR. MEEHAN explained that he was the mortgage lender before becoming the property owner for about two years. During those two years, there were ongoing problems with the City regarding the condition of the property. He made some repairs in order to correct the problems. The picture that was shown depicted equipment that was inside the fence of his backyard. He claimed that he spoke with KELLY OLIVERIUS, who informed him that, if he painted the property, she would sign it off. However, MS. OLIVERIUS left her post with Neighborhood Response, and the person who replaced her then asked for landscaping, so he complied, and he thought that everything was fine.

But after the fence was removed, all the equipment he had in his backyard while he was making repairs was exposed to the alleyway, and that is what the videotape shows. Subsequently, the tractor was removed and rock was installed in his backyard. The City alleges that the fence was removed due to dilapidation, but in his opinion, it was somewhat damaged, due to vandalism from the youth that live in the recent government projects, but there were no holes for people to get into the backyard.

MR. MEEHAN complained that whoever the City hired to do the landscaping broke his block wall, for which he should receive some kind of settlement. He had to hire security to guard the property after the fence was removed. Also, the equipment he had in the backyard, which is his business, was removed. The City claims that he abandoned his property, but how could he do this while he was working on it, which took more time because he was doing it himself. In his opinion the City trespassed his property. He offered to bring in witnesses to attest to the damage done to his property.

TOM McGOWAN, Las Vegas resident, stated that the property owner protests too much. The City should expedite this matter by recovering costs and instituting proceedings to remedy the situation.

In rebuttal, MR. SMITH indicated that he has had many conversations with MR. MEEHAN and has made many visits to the property. The wall is dilapidated and needs to be repaired. There is nothing to prove that the contractor damaged the wall. He has dedicated 50 to 60 staff hours into trying to get MR. MEEHAN to clean the property. Staff has also notified MR. MEEHAN that no one can live on the property without power; however, MR. MEEHAN is still allowing someone to live in the home without power. The property is an ongoing problem.

COUNCILMAN REESE commented that he had the opportunity of viewing the property, and the fence was in very bad condition and a hazard to the children walking through the alley. Also,

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he has received many complaint calls about the property. He confirmed with MR. SMITH that the appliances in the backyard were being stored there, as they appeared to be sitting outside and in the sun for many years.

MAYOR GOODMAN declared the Public Hearing closed.

