

Building Appeal Board
Wednesday, August 9, 2023

MEMBERS PRESENT: Nancy Janzig; Don O'Connor; John Miller; Bill Scalzo; Justin Hoffman; Rick Wallin; Brian Morse; John Hinzmann

MEMBERS ABSENT: Mark Pleml; Jordy Sargent; Shawn Krizaj

STAFF PRESENT: Blake Nelson; Steve Hanke; Jon Otis; Lisa Consie; Steven Robertson; Bonnie Engseth

1. ROLL CALL

2. Motion made by Board Member Scalzo, seconded by Board Member Wallin to approve the June 10, 2020 minutes

Motion made by Board Member Hoffman, seconded by Board Member Morse to approve the June 14, 2023 minutes

3. OLD BUSINESS

An appeal to reverse a Condemnation Order of the Building Official for 631 E. 3rd St.
Present on behalf of applicant: Timothy Johnson, William Paul, Attorney

- a) The Building Appeal Board members took 5 minutes to review the information received from the appellant, Timothy Johnson.
- b) Board Member Janzig asked Mr. Johnson for an update. Mr. Johnson updated the board on the conditions he needed to complete from the June 14, 2023 meeting. He stated he obtained the sidewalk obstruction permit, he has secured the building, he provided the deed to prove ownership and he will be meeting with Caldwell Banker to list the property. He feels he complied with the conditions, but asked for 60 more days.
- c) Building Official Blake Nelson verified that Mr. Johnson obtained the sidewalk obstruction permit. Board Member Wallin questioned the security of the building as far as fencing around the building and boarding up the 2nd floor windows. Attorney Bill Paul stated the Fire Code doesn't require 2nd floor boarding of windows.
- d) Board Member Janzig stated he has not complied with the conditions. There is no proof of quotes for repair, no proof of listing the property for sale. Mr. Johnson stated that it takes time and he is trying. He again asked for 60 more days.
- e) Building Official Nelson stated that the Condemnation Order remains regardless if the property is sold. To rescind the condemnation order, the new owner would need to provide documentation of a plan for repairs.
- f) Board Member O'Connor clarified with Counsel on the Board's authority in that they are determining if the Code Official erred in compliance with the code. Board Member Morse stated there is nothing to overrule the Code Officials condemnation order and doesn't think more time will help.

Motion made by Board Member Wallin, seconded by Board Member O'Connor to deny the appeal. 1 opposed. Motion passed.

4 NEW BUSINESS

- a) Steven Robertson stated that City Staff would like to recommend some changes to Section 10 of the City Code, including the number of members of the Building Appeal Board. It was noted that the City Clerk's office has had a difficult time finding members for all of its 30 boards and commissions. In a future meeting, there will be new language proposed for review.

5. ELECTION OF OFFICERS

- a) The Board decided to wait until March, 2024 to elect new officers.

Meeting adjourned at 4:04 p.m.

A handwritten signature in black ink, appearing to read 'Blake Nelson', with a long horizontal flourish extending to the right.

BLAKE NELSON, SECRETARY
BUILDING APPEAL BOARD