Mr. Lang called the meeting to order at 1:30 p.m. The roll was called with eight members being present. He further informed the public that a notice of the meeting was published in the Daily Record. Mr. Lang stated that the Nebraska Open Meetings Law was in effect and that a copy was available in the room for review.

Kim Cowman, new board member was present and observed the meeting. Shawn Deane arrived late.

Mr. Standerford moved to approve the minutes of the October 6, 2016 meeting. Second by Mr. Reimer.

AYES: Andersen, Bexten, Hanes, Palu, Reimer, Standerford, Lang

MOTION CARRIED: 7-0
CASES:

Case No. 16-21
Denise Simmons
631 North Canyon Drive
Olathe, KS 66061

LOCATION: 1811 Lothrop Street

At the Property Maintenance Appeals Board meeting held on November 3, 2016 no one appeared before the board. Tracy Murray and Kevin Mulcahy (Housing Inspector) appeared on behalf of the City.

Mr. Mulcahy submitted recent photos (Exhibit 2). He stated that the property owners lived out of town and had requested more time to complete the work. He recommended the board grant an additional six months since progress was being made. The violation was filed in April 2016 and the owner had pulled a permit. Ms. Murray verified that a single-family homeowner can pull a permit and do the work themselves.

Ms. Bexten moved to APPROVE a 6-month extension for the completion of work. Mr. Andersen seconded the motion.

AYES: Andersen, Bexten, Deane, Hanes, Palu, Reimer, Standerford, Lang

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on November 3, 2016 no one appeared before the board. Tracy Murray and Yvonne Barna (Housing Inspector) appeared on behalf of the City.

Ms. Barna stated the property owner was requesting an extension because the case was in court. The property was being used as a rental but when the home was purchased the title company did not find the code violations. She recommended a six month extension due to the court case. The code violation was for the unused garage located at the back of the property. The wood frame structure was slipping off the concrete block. Ms. Barna stated she did not know when the case was scheduled for court.

Mr. Hanes moved to APPROVE a 6-month extension for the completion of work. Mr. Deane seconded the motion.

AYES: Andersen, Bexten, Deane, Hanes, Palu, Reimer, Standerford, Lang

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on November 3, 2016, Stan Gregory and Jeff Shald appeared before the board. Tracy Murray and Todd Shearer (Housing Inspector) appeared on behalf of the City.

Mr. Gregory stated he was the owner of the building that sustained a fire at one end of the building in April 2015. The insurance company sent a contractor out who bid the repairs at $142,000.00 which included repainting and reskinning the building. He stated that he believed that the main beam in the building was compromised, therefore, he has had others out to evaluate the damage. Mr. Gregory stated that Weitz Construction submitted a bid of $425,000.00 to replace the building. The manufacturer of the building was no longer in business and the beam needed to be reengineered. The contractor who bid $142,000.00 will not honor the bid.

Jeff Shald stated he got involved with the insurance aspect of the case. There are two differing opinions over the structural integrity of the building and, unfortunately, Mr. Gregory was caught in the middle.

Mr. Gregory stated that the building had no electricity or gas and was used for storage of trucks. Mr. Andersen stated he had concerns that the building was not safe enough for employees to be driving their trucks in and out of the building. Mr. Shald stated there were differing opinions about whether the building was structurally sound.

Ms. Bexten told Mr. Gregory that he is making the argument that the building was not safe. Mr. Gregory responded that he was concerned that it would be structurally unsound because of weight from snow. He stated that he owns the whole commercial strip and the other bays are being used. Each bay has a firewall between them. Mr. Gregory expressed his frustration with the insurance company.

Mr. Shearer expressed concern that the property was being used for storage and was not sound. He recommended that any time extension granted by the board would have to include the condition that the space remain vacant. He also suggested that a structural engineer look at the building. Mr. Gregory responded that he had engineers look at the building who agreed that the building had been compromised, however, he did not obtain those statements in writing. He said he had a quote for $40,000.00 for an engineering report.

Mr. Shearer stated that the current situation should have been taken care of in 90 days but the time is way over that.

Mr. Andersen moved to DENY the request.

Mr. Reimer suggested that the motion be modified to give an extension for a period of time on the condition that they lose the occupancy permit and the right to use that space based on the condition that the property is unfit. Mr. Andersen responded that the building had been used for more than a year and putting employees in danger.
Mr. Shearer stated he would be in agreement to an extension as long as the space was not occupied and there be a structural engineers report. Mr. Gregory stated that he was working with Matrix out of Colorado. Mr. Shald explained that Matrix is a public adjuster that represents property owners on a contingency basis in the event a claim takes place.

Mr. Andersen’s motion to deny died for lack of a second.

Mr. Palu moved to APPROVE a 6-month extension with the condition that the fire damaged bay will not be used or occupied. Mr. Deane seconded the motion.

AYES: Bexten, Deane, Palu, Standerford, Lang

NAYS: Andersen, Hanes, Reimer

MOTION CARRIED: 5-3
At the Property Maintenance Appeals Board meeting held on November 3, 2016, Nathan Dallon appeared before the board on behalf of the applicant. Tracy Murray and Joe Adriano (Housing Inspector) appeared on behalf of the City.

Mr. Adriano stated that the work on the property is 90% complete and that the owners needed to call for a re-inspection.

Mr. Dallon requested more time for his clients.

Mr. Andersen moved to APPROVE a 60 day extension for the completion of work. Mr. Deane seconded the motion.

AYES: Andersen, Bexten, Deane, Hanes, Palu, Reimer, Standerford, Lang

MOTION CARRIED: 8-0
Case No. 16-25
Timothy P. Engler
Brown Fig, LLC
7952 South 25th Street
Omaha, NE 68127

LOCATION: 14005 Weir Street

At the Property Maintenance Appeals Board meeting held on November 3, 2016, Tim Engler appeared before the board. Tracy Murray and Todd Shearer (Housing Inspector) appeared on behalf of the City.

Mr. Shearer stated the property involved a landlord and tenant. The siding, windows and soffits/gutters needed to be replaced or repaired. He recommended an extension of no more than 90 days.

Mr. Engler stated he had pulled a permit and would be replacing the siding after the windows were installed.

Mr. Reimer moved to APPROVE a 6-month extension for the completion of work. Mr. Palu seconded the motion.

AYES: Andersen, Bexten, Deane, Hanes, Palu, Reimer, Standerford, Lang

MOTION CARRIED: 8-0
Case No. 16-26
Elmer Lopez
814 South 36th Street
Omaha, NE 68105

LOCATION: 823 Park Avenue

At the Property Maintenance Appeals Board meeting held on November 3, 2016, Elmer Lopez appeared before the board. Tracy Murray and Yvonne Barna (Housing Inspector) appeared on behalf of the City.

Ms. Barna explained that the property at 823 Park Avenue had been written up for several years. Another appeal had been filed six months ago and nothing had been completed before October 21, 2016. Barna recommended that the applicant not be granted an extension because he continued to do work without permits.

Mr. Lopez submitted before and after photos for 821 and 823 Park Avenue (Exhibit 2 and Exhibit 3). Mr. Lopez stated that 821 was occupied and that he needed 90 days to complete 823 Park Avenue. He stated that he had been waiting for an affordable electrician. Mr. Lopez indicated that he has owned the property since 1996.

In response to Mr. Standerford, Ms. Barna answered that if the request is denied then a citation will be written for Mr. Lopez.

Mr. Lopez stated that he felt that Ms. Barna had an agenda with his building and he did not understand the law and could not communicate with city inspectors.

Ms. Barna recommended that the board deny the request. Mr. Lang agreed that the property repairs had taken too long and needed to be completed.

Mr. Andersen moved to DENY. Mr. Hanes seconded the motion.

AYES: Andersen, Bexten, Deane, Hanes, Palu, Standerford, Lang

ABSTAIN: Reimer

MOTION TO DENY CARRIED: 7-0-1

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at 2:37 p.m.