MINUTES
PROPERTY MAINTENANCE APPEALS BOARD
1:30 P.M., January 5, 2017
3rd Floor – Jesse Lowe Conference Room
Omaha Civic Center - 1819 Farnam Street

MEMBERS PRESENT: Jim Lang, Chairman
Steve Andersen – Vice-Chair
Karen Bexten
Kim Cowman
Shawn Deane
Jay Palu
Gerald Reimer
Jerry Standerford

MEMBERS NOT PRESENT: n/a

OTHERS PRESENT: Jay Davis, Assistant Director – Permits & Inspections
Steve Andersen, Housing Inspector
Yvonne Barna, Housing Inspector
Roger Carroll, Housing Inspector
Todd Shearer, Housing Inspector
Jennifer Taylor, City Law
Clinette Ingram, Board Secretary

Mr. Lang called the meeting to order at 1:30 p.m. The roll was called with eight members being present. He 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.

Ms. Bexten moved to approve the minutes of the December 1, 2016 meeting. Second by Ms. Cowman.

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

MOTION CARRIED: 8-0
CASES:

(Case 16-07 through 16-09 were heard together)

Case No. 16-07 (from 4/7/16, 7/7/16 and 10/6/16)
Location: 10909 M Street
Request: Appeal Notice of Violation dated February 9, 2016 (Wreck).

Omaha Hotel Holdings LLC
10909 M Street
Omaha, NE 68137

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Doug E. Quinn appeared before the board. Todd Shearer appeared on behalf of the City.

Mr. Shearer stated that the property continued to be vacant, secure and clean. The City was currently awaiting plans for the project. Additional time was needed so that the applicant’s contractors from California could be licensed in Omaha.

Mr. Quinn stated that the final engineer’s approval for the plans should occur the Monday following the meeting.

Mr. Davis was in support of granting a 60-day extension subject to the contractor license being issued, plans for the project being submitted and all applicable permits being issued. The applicant was in agreement with that recommendation.

Mr. Reimer moved to GRANT an extension of 60 days subject to the contractor license being issued, plans for the project being submitted and all applicable permits being issued. Mr. Deane seconded the motion.

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Steven Stella appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Stella stated that the property was in the process of being sold with a closing date of March 31, 2017. He was attempting to get bids for the remaining work that needed to be done. The new buyers had made some repairs. Mr. Carroll was in support of the applicant being granted more time so that repairs could be made and the property could be sold.

Mr. Standerford moved to LAYOVER until the May 4, 2017 meeting of the board. Mr. Reimer seconded the motion.

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, John Oien appeared before the board. Todd Shearer appeared on behalf of the City.

Mr. Shearer stated that he has just received an engineer’s report from Atlas Engineering for the property dated December 9, 2016 (Exhibit 2). The report indicated that the columns that were formerly proposed as a solution to save the south wall of the building had been moved from the interior of the building to the exterior. Mr. Shearer indicated that new plans would need to be submitted to the City and a permit issued to the contractor doing the work. He also submitted photos that were taken the day of the meeting. He noted that the property had not been cleaned as requested at the December 2016 meeting of the board. Current photos of the property were also submitted (Exhibit 3).

In response to Mr. Andersen, Mr. Shearer stated that the case with the current owner began in September of 2015.

Mr. Oien stated that upon receipt of the engineering report, he had spoken with his banker and planned to obtain the necessary funds to have all of the work completed by the end of April. There was some discussion about what items in particular needed to be cleaned up on the property. Mr. Shearer stressed that no items should be stored outside on the property. He also mentioned that there were two cars sitting on the property that were not plated and that the police department was dealing with that issue.

Mr. Andersen noted that applicant did not follow most of the directions provided to him from the previous month’s meeting.

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

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Tony Caniglia appeared before the board. Yvonne Barna appeared on behalf of the City.

Ms. Barna stated that she had been working with the applicant and that the only issues left were exterior work that could not be repaired during cold weather, which included painting and the installation of block. She was in agreement with granting an extension until the end of June. The applicant was in agreement with that recommendation.

Mr. Reimer moved to GRANT an extension until June 30, 2017. Mr. Palu seconded the motion.

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Rob Wright appeared before the board. Yvonne Barna appeared on behalf of the City.

Ms. Barna stated that she had been working with the applicant and that there were some soffit repairs and painting that needed to be completed. She was willing to extend the applicant more time.

Mr. Wright stated that he wanted to complete the repairs in warmer weather and mentioned that the areas that needed repairing were about 50’ high. Ms. Barna was in agreement with granting an extension until July 31, 2017.

Mr. Deane moved to GRANT an extension until July 31, 2017. Mr. Palu seconded the motion.

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Linda Meigs appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that the applicant had a contract of sale when the notice was issued, but the buyer backed out.

Ms. Meigs requested more time to sell the building. She had a purchase agreement with another buyer with a closing date of February 15, 2017. That buyer planned to take on the responsibility repairing the roof, soffits and windows.

Mr. Carroll was in agreement with a 6-month extension.

Mr. Reimer moved to GRANT a 6-month extension. Ms. Cowman seconded the motion.

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

MOTION CARRIED: 8-0
Case No. 17-04
Iontach Investments, LLC
Patrick Caufield
P.O. Box 111160
Omaha, NE 68111

LOCATION: 4157 Hamilton Street, Apt 10W

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that there was a fire at the apartment. Most of the work had been completed, but building and electrical finals were needed.

Mr. Caufield requested an extension so that he could finish the remaining work. Mr. Carroll felt that 3 months was sufficient. He mentioned that it was difficult to find licensed contractors in that part of town that could handle multi-unit buildings. He added that a mechanical final needed to be scheduled by the contractor.

Mr. Reimer moved to GRANT a 3-month extension. Mr. Standerford seconded the motion.

AYES: Andersen, Bexten, Cowman, Deane, Palu, Reimer, Standerford, Lang
MOTION CARRIED: 8-0

Case No. 17-05
Iontach Investments, LLC
Patrick Caufield
P.O. Box 111160
Omaha, NE 68111

LOCATION: 4157 Hamilton Street, Apt 7W

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that several minor repairs needed to be completed in the apartment for which a general repair permit was not necessary. Mr. Caufield stated that the work was in progress and that a 3-month extension should be enough time to complete all repairs. Mr. Carroll was in agreement with the 3-month extension.

Mr. Reimer moved to GRANT a 3-month extension. Ms. Bexten seconded the motion.

AYES: Andersen, Bexten, Cowman, Deane, Palu, Reimer, Standerford, Lang
MOTION CARRIED: 8-0
Case No. 17-06
Iontach Investments, LLC
Patrick Caufield
P.O. Box 111160
Omaha, NE 68111

LOCATION: 4153 Hamilton Street, Apt 9E

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that there was a fire in the unit. There was a building final and almost all of the repairs had been completed. He was in agreement with extending more time.

In response to Mr. Andersen, Mr. Caufield stated that he was actively working to complete the necessary repairs on all of the properties. He requested 30 days to complete repairs.

Mr. Reimer moved to GRANT a 30-day extension. Mr. Andersen seconded the motion.

AYES: Andersen, Bexten, Cowman, Deane, Palu, Reimer, Standerford, Lang
MOTION CARRIED: 8-0

Case No. 17-07
Iontach Investments, LLC
Patrick Caufield
P.O. Box 111160
Omaha, NE 68111

LOCATION: 4153 Hamilton Street, Apt 10E

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that there were miscellaneous repairs that needed to be made on this apartment. The applicant stated that 30 days should be enough time to complete the necessary repairs.

In response to Mr. Reimer, Mr. Caufield stated that he was committed to keeping up the repairs on his properties without receiving violations and appealing to the board.

Mr. Reimer moved to GRANT a 30-day extension. Mr. Andersen seconded the motion.

AYES: Andersen, Bexten, Cowman, Deane, Palu, Reimer, Standerford, Lang
MOTION CARRIED: 8-0
Case No. 17-08  
Iontach Investments, LLC  
Patrick Caufield  
P.O. Box 111160  
Omaha, NE 68111

LOCATION: 4019 Nicholas Street, Apt 2  

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll explained that there were plumbing problems in the apartment and some exterior repairs that were needed on a window. Mr. Caufield requested a 6-month extension so that the exterior work could be completed.

Mr. Standerford moved to GRANT a 6-month extension for the exterior work with the condition that the interior work be completed in 60 days. Mr. Deane seconded the motion.

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

MOTION CARRIED: 8-0

Case No. 17-09  
Iontach Investments, LLC  
Patrick Caufield  
P.O. Box 111160  
Omaha, NE 68111

LOCATION: 1322 North 41st Street  

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Patrick Caufield appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll explained that the house to the north of the property had burned about a year ago which caused significant damage to the vinyl siding and windows of the applicant's property. That damage had been repaired; however, there were some miscellaneous exterior items that needed to be repaired which included an eave on the garage, a column on the front porch and the sidewalk. In addition, there was some debris that needed to be picked up.

Mr. Caufield requested an extension of 6 months to get the external repairs done.

Mr. Standerford moved to GRANT a 6-month extension for the exterior work. Mr. Reimer seconded the motion.

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

MOTION CARRIED: 8-0
(The following two cases were heard together.)

**Case No. 17-10**  
Tito Flores  
3813 Joann Avenue  
Bellevue, NE 68123  
LOCATION: 3918 ½ U Street  

**Case No. 17-11**  
Tito Flores  
3813 Joann Avenue  
Bellevue, NE 68123  
LOCATION: 3920 U Street  

At the Property Maintenance Appeals Board meeting held on January 5, 2017, the applicant did not appear before the board. Todd Shearer appeared on behalf of the City.

Mr. Shearer stated that the property included a main home and a mother-in-law home. The main home, which had a fire, had been re-roofed and the inside had been gutted. The property was secure and clean. The mother-in-law home needed new electrical service and plumbing repairs. Mr. Shearer was in support of granting and extension of 6 months to give the applicant, who had a favorable history with the City, the opportunity to complete all repairs.

In response to Mr. Andersen, Mr. Shearer stated that the applicant had renovated many homes over the last several years with no issues.

Mr. Andersen moved to GRANT a 6-month extension. Ms. Bexten seconded the motion.

AYES: Andersen, Bexten, Cowman, Deane, Palu, Reimer, Standerford, Lang  
MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Edward Carter (Tenant) appeared before the board. Roger Carroll appeared on behalf of the City.

Mr. Carroll stated that there were challenges with this property due to the large size and design of the home. The owner requested additional time to complete all of the repairs. Mr. Carroll indicated that repairs were being performed on the turrets and that the concrete steps on the side and front of the home had been completed.

Mr. Carter stated that he would take responsibility for repairs. He requested 4 – 6 months for the completion of all work.

Mr. Reimer moved to GRANT a 6-month extension. Ms. Cowman seconded the motion.

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

MOTION CARRIED: 8-0
At the Property Maintenance Appeals Board meeting held on January 5, 2017, Michael Peters appeared before the board. Yvonne Barna appeared on behalf of the City.

Ms. Barna stated that the applicant was keeping the properties secure. There were plans to demolish the units by February 2017 to make room for a new development. The applicant requested an extension until March 31, 2017.

Mr. Reimer moved to GRANT an extension to March 31, 2017. Mr. Palu seconded the motion.

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

MOTION CARRIED: 8-0
Case No. 17-17
Coleman Construction Company
Attn: Clarence/Freeman Coleman
2505 North 24th Street
#536
Omaha, NE 68110

LOCATION: 4752 North 41st Street

At the Property Maintenance Appeals Board meeting held on January 5, 2017, Freeman Coleman appeared before the board. Steve Andersen appeared on behalf of the City.

Mr. Andersen stated that the applicant had done a small portion of the work since the violation was issued. The property was occupied. Mr. Andersen was willing to grant an extension subject to the applicant repairing the active plumbing leaks and taking care of other plumbing issues including those with the water heater. He submitted pictures of the property (Exhibit 2).

The applicant stated that he was attempting to sell the property. He requested a 6-month extension so that he could complete some of the exterior concrete work. He explained that he was having issues with the current tenant. With regards to the leaks, he indicated that it was from the chimney and that it had already be repaired. Mr. Andersen believed it was a plumbing leak.

Mr. Andersen mentioned another violation that he did not include in the violation letter. The ceiling joists in the garage were incorrectly repaired (Exhibit 3). He also requested that smoke detectors be installed in all the bedrooms to bring the home into compliance with the current fire code.

Mr. Standerford moved to GRANT an extension of 6 months with the condition that the applicant show continuous improvement with the plumbing and other safety issues. Mr. Andersen seconded the motion.

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

MOTION CARRIED: 8-0

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at 2:58 p.m.