

Minutes of the Dangerous Building Commission meeting held on Wednesday, June 8, 2005 at 2:00 p.m., at the Clay Township Hall, 4710 Pte. Tremble Rd., Algonac MI.

Chairman Uschwald called the meeting to order at 2:10 p.m.

Roll Call: Uschwald, Kot, Miller, Williams.

Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

Also Present: Mike Kras, Building Official.

Moved by Kot, supported by Williams, MOTION CARRIED, to approve the minutes of May 11, 2005. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

DB-2005-06 RICHARD/JEAN WOLFE 8139 S. CHANNEL DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: I have done several inspections over there, the last one was January 24th. The building is in need of repair, the back porch is falling down, windows are broken. Mr. Wolfe is here today, he can explain what he plans on doing.

Mr. Wolfe: I'm really at a lost, as to why I'm here. I got a notice from the inspector, telling me I have a dangerous building. This notice doesn't say what's wrong with the building.

Miller: That's why you are here, so the building inspector can tell you what's wrong with the building.

Uschwald: The ordinance is quite lengthy, he's only going to write the section numbers on the letter.

Chairman Uschwald explained the ordinance, and that Mr. Wolfe can obtain a copy of it.

Uschwald: The building inspector did take pictures of your building.

Further discussion on how the building looks.

Uschwald: Do you live there?

Mr. Wolfe: No, I live next door. I use this building as a storage building.

Uschwald: Well, you need to fix the building up.

Mr. Wolfe: The windows are boarded up. I need to get rid of a tree, because the branches fall on the roof, which needs to be replaced, after I get the tree down.

Kras: It needs paint, windows, structural, roof needs to be replaced, etc.

Williams: It's a beautiful piece of property.

Uschwald: Are you going to replace the porch and the windows?

Mr. Wolfe: Yes. I will get to it. The paperwork says the main structure. It doesn't state porch.

Kot: You live at a different address, next door. It's a separate lot, with a main structure on it. That's why it states main structure needs repair, etc.

Wolfe: The porches are not part of the main structure.

Uschwald: How much time do you need?

Williams: Why don't we give him ninety (90) days?

Uschwald: Mike, is that ok with you?

Kras: Yes.

Moved by Williams, supported by Miller, MOTION CARRIED, to postpone Show Cause for ninety (90) days, to allow time for repair, and get an update from Mike. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

DB-2004-19 STEPHEN/DOUGLAS BAKER NORTH CHANNEL DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: We tabled his Show Cause until June. He needs to let us know what he's going to do.

Steven Baker: Well, the building is still standing. The reason I haven't been able to get to it, my mother passed away in April, and I have had a lot going on. My brother Stephen, is also co-owner, and lives in Arizona. One good weekend we could have it down. I'm going to take the building down, it's beyond repair. I have cleaned out most of the dogwood, so now we can get to it. Sometime in July I should have help to take it down.

DB-2005-13 Ronald Kaye/Denise LaValley 2430 N. Channel Dr. (accessory)

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: It's about ready to fall down. Repair it, or remove it.

Moved by Miller, supported by Kot, MOTION CARRIED, to have a show cause in sixty (60) days. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

UPDATE ON OLD CASES:

DB-2004-025 LEO/DOLORES SOLTYS 9380 N. RIVER RD.
DB-2004-026

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: Cleaned up the property some. Nothing with the front building. We sent them a letter, but no response. I suggest we turn this over to John McNamee, to send them a letter.

Kot: Can we start a title search?

Kras: I will add this to the list that Barb is going to help with.

Moved by Williams, supported by Miller, MOTION CARRIED, to have the lawyer to send them a letter. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

DB-2002-14 DWAYNE GABRIEL 8082 ANCHOR BAY DR.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: I think we can take this off the Dangerous Building list. He's done a great job. The property across the street needs some more clean-up. The boat is still there.

Moved by Williams, supported by Kot, MOTION CARRIED, to dismiss Case No. DB-2002-14. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

DB-2004-17 MELISSA HUGHES 7444 DYKE RD.

Chairman Uschwald called Mike Kras as first witness to this case.

Kras: Here's the problem that we are having with the garage. Melissa Hughes wants to tear the garage down, she's tried to have the power turned off, but her boyfriend says he owns the property also, that she stole his quit claim deed. There is a law suit pending. Although the law suit pending does not put a stay on anything. The suit is saying that he owns half the property and she owns half the property, but she's got the quit claim deed saying she owns it. She's trying to have an electrician move the service off the garage, and onto the trailer. She's trying to get the current renters out. When she had an electrician over there, the people threaten him. I told her to call me the next time she has the electrician over, and I will show up with a police officer.

Miller: What's your recommendation?

Kras: My recommendation is I will keep you informed, because it's in court.

Williams: Nothing we can do, as long as it is in court.

Miller: How long is the demolition permit good for?

Kras: It expires September, and I can extend it.

Kras: We can make a motion to have the building removed, I'll write the boyfriend a letter stating that you want the building removed, notify the owner Melissa Hughes, that we are going to move forward. I talked to his lawyer, she has a legal right to remove that building, he agreed, and I asked him, are you going to put some type of stay on that property, that nothing can be done until a ruling is made, he said no I'm not.

Uschwald: On the letter you send them, how long will you give them?

Kras: Thirty (30) days.

Moved by Kot, supported by Williams, MOTION CARRIED, to have this case turned over to John McNamee, stating that the dangerous building commission wants the building to be removed, and Mike Kras to also write a letter to the boyfriend letting him know that we are moving forward, that the building is dangerous and we want the building down, that legally Melissa Hughes is the owner, and that we are not going to wait for this to go to court. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

Kras: I can also do a title search on this. I'll add this to our list for Barb & I to take care of.

Dangerous Building Commission minutes June 8, 2005
Page Six

Moved by Kot, supported by Williams , MOTION CARRIED, to adjourn meeting at 2:55 p.m. AYES: ALL. NAYS: NONE. Excused: Terrien (resigned), Piotrowski, Manos, Eder, Edler.

Marie A. Johnson
Recording Secretary