

Minutes of the Clay Township Dangerous Building Commission meeting held on Wednesday, August 12, 2009, at the Clay Township Meeting Hall, 4710 Pte. Tremble Rd., Algonac MI.

Chairman Uschwald called the meeting to order at 2:05 p.m.

Roll Call: Leonard Uschwald, Mary Kot, Jim Miller, David Salvador, Georgia Williams, & John McQuade Excused: Don Drake, Daryl DuPage, and Jay DeBoyer.

Also Present: Michael J. Kras, Building Official.

Motion by Kot, supported by Williams to approve the minutes of June 10, 2009.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer.

MOTION CARRIED.

Chairman Uschwald: We are going to take the cases first where the citizens are present, so they will not have to wait. Therefore, some of the cases will be out of order from the agenda to accommodate the public.

**SHOWCAUSE:**

**DB-2009-005                      LORI SISK/THOMAS HANNAH                      6047 PTE. TREMBLE RD.**

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

Kras: This particular property had a fire several years back and when I walked through with the Fire Chief there were numerous violations. There were permits pulled but there were not any inspections. This building has been non-compliant the better part of 4 years. It has not had any essential services. This is for Showcause today, so I am going to let the owners of the property speak.

Williams: Are the damages from the fire or previous to the fire?

Kras: The fire started in the area of the kitchen and burned. The fire created a lot of smoke damage in the building.

Ms. Sisk: I am part owner of this property and I would like to introduce Paul Siegameli who is my attorney.

Mr. Siegameli: I represent Lori Sisk. Ms. Sisk and Thomas Hannah are joint tenants as owners of this property. There was a fire at the property that occurred about 3 years ago. Then litigation was filed relative to the ownership of the property, title to the property and repair of the property after the fire. Mr. Hannah was in fact living in the house at the time of the fire. This litigation started in 2006 and did not conclude until an opinion and order was issued by the Oakland County Circuit Court this past February. 6047 Pte. Tremble Rd. has been ordered to be sold pursuant to the appointment of a commissioner; the commissioner being an independent third party that will oversee what needs to be done to sell the property; that commissioner order was entered by the court this morning. We are proceeding to the next step and determining whether the house is going to be torn down or sold as is. We haven't been sitting still, it's just that we couldn't do much until the litigation was done.

Williams: Mike, can we extend this and give them time to find out if the building will be torn down or sold as is?

Kot: Has it been determined whether or not Mr. Hannah is still part owner of the house or is it all in Lori's name now?

Mr. Siegameli: It is still jointly held and that is why a commissioner was appointed.

Discussion amongst members and Mr. Kras on history of property.

Motion by Williams, supported by Miller to table case #DB-2009-005 for 120 days and Ms. Sisk will come back with a decision regarding keeping the current structure up or tearing it down.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer

MOTION CARRIED.

Ms. Sisk: I would like to request that the notice for the next meeting be sent to my address on Wakefield

**DB-2009-007                    ALEXANDER/NANCY BAJRASZEWSKI 5571 PTE. TREMBLE RD.**

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

Kras: I have talked with the homeowner and they have contacted a contractor, as they are planning on tearing the house down and would like some additional time.

Motion by Miller, supported by Kot to table case #DB-2009-007 until the October 2009 meeting for closure.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer

MOTION CARRIED.

**UPDATES:**

**DB-2008-018                    EGON SYSTERMANN                    7929 PERRY HIGHWAY**

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

Kras: This is on an island. Mr. Systemann sent a letter, you have a copy of it, explaining his situation. I think we should give him a little more time and if it is not taken care of by that time, then we will start the process for us to take care of it.

Miller: If we give Mr. Systemann 120 days, it would bring it back in December.

Kras: If you are talking about bringing it back in December, then that is winter and no work would be done then. You might have to extend it to Spring.

Williams: But this is his third letter.

Miller: Mike, when you say it is dangerous, what are you meaning?

Kras: In the pictures I showed you it is actually debris falling as the roof fell in on one side and I am sure when you start getting that kind of deterioration, you will probably have a lot of other problems.

Motion by Miller, supported by Williams to table case #DB-2008-018 for 60 days in order to give Mike Kras time to check on the security of the building and perform a Title Search.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer  
MOTION CARRIED.

**DB-2008-017                      JASON KUSZPIT    7320 JO CHAR**

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

Kras: The homeowner is here so I will let him explain what he has done.

Mr. Kuszpit: I recently purchased this property as more of an investment and maybe to use as a summer type cottage. When I had purchased it I was not aware that it was on the Dangerous Building list. In fact it was not at the time, there was no notice when I procured the Title. In the future I do plan on removing the structure. Since I have purchased it, I have removed a lot of the blight, removed a fiberglass boat, tires and old fence.

Williams: When did you purchase this property?

Mr. Kuszpit: April 2008. I have been maintaining the yard. So I am here today to try and get it off the list.

Kras: He has electricity and water to the building now. If everything is back in working order, I suggest we dismiss the case.

Motion by Williams, supported by Miller to dismiss case #DB-2008-017.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer  
MOTION CARRIED.

**SHOWCAUSE:**

**DB-2009-004                      RIVERSIDE ADVENTURES, LLC    9714 NORTH RIVER ROAD**

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

Kras: There has been no response to any letters and no change to the property. The building is really in bad shape. This house is at the back of the property which also has a parking lot on it for the Big River Grille across the street. It is all one parcel.

Williams: Does anyone live in it?

Kras: No.

Motion by Miller, supported by Salvador to perform a Title Search, Findings of Fact and issue an Order of Compliance through the Township Attorney on case #DB-2009-004.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer  
MOTION CARRIED.

**DB-2009-006                      CARYL R. JEFFREY                      6216 HIGH RD.**

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

Kras: This building has been razed. You can dismiss this case.

Motion by Salvador, supported by Miller to dismiss case #DB-2009-006.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer  
MOTION CARRIED.

**UPDATES:**

**DB-2008-009                      THOMAS/MARY ANN STOWERS                      8536 ANCHOR BAY DR.**

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

Kras: This building has been removed. This case can be dismissed.

Motion by Kot, supported by McQuade to dismiss case #DB-2008-009.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer  
MOTION CARRIED.

**DB-2008-015                      STEVE/LINDA MAHAC                      6493 BENOIT RD.**

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

Kras: If you remember correctly Mr. Mahac came in before you and said he would take care of this and asked for an extension until the end of June and as of today, he has not done anything to either of the two buildings that are on the Dangerous Building list. He did put a new roof on the one building, but that is it.

Williams: It looks terrible.

Kras: I recommend it be sent to Mr. McNamee for an Order of Compliance.

Motion by Kot, supported by Miller to perform a Title Search, Findings of Fact and issue an Order of Compliance through the Township Attorney on case #DB-2008-015.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer

**DB-2008-016**

**STEVE/LINDA MAHAC**

**6493 BENOIT RD.**

Motion by Miller, supported by Salvador to perform a Title Search, Findings of Fact and issue an Order of Compliance through the Township Attorney on case #DB-2008-016.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer

**DB-2008-020**

**MATTHEW/KELLEY ANN RIVARD**

**7314 EDLANE**

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

Kras: They have removed the building that we put on the Dangerous Building list, but the fact is the property is still blighted. I am requesting that we dismiss the case and I will take care of the blight myself.

Motion by Kot, supported by McQuade to dismiss case #DB-2008-020.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer

MOTION CARRIED.

**MEMBERS COMMENTS:**

Members discussed with Mike Kras about two new dangerous buildings (trailer and detached garage) at 2675 Krispin Road.

**ADJOURNMENT:**

Motion by Williams, supported by Miller to adjourn the meeting @ 3:15 pm.

AYES: ALL. NAYS: NONE. Excused: Drake, DuPage, and DeBoyer.

MOTION CARRIED.

Respectfully Submitted,

Patty Watson  
Recording Secretary