SPECIAL COUNCIL MEETING

The Special Council Meeting was held on March 6, 2017 at 6:00 p.m. with Council President Slavin presiding. Council members present were Mr. Sudler, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison (departed at 6:40 p.m. and returned at 6:46 p.m.). Mr. Anderson, Mr. Neil, and Mr. Lewis were absent. Mayor Christiansen was also absent.

Council staff members present were Mrs. Townshend and Mrs. McDowell.

ADOPTION OF AGENDA

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Hosfelt and unanimously carried.

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 236 EISENHOWER DRIVE, OWNED BY ANGELA WESTER AND MARTHA GARRATT

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 236 Eisenhower Drive, owned by Angela Wester and Martha Garratt.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised that the property is a single story ranch wood framed dwelling. On March 11, 2016, City Staff conducted an exterior inspection of the home and observed several Code violations, including damage to the roof and a dilapidated fence. Several notices were sent to the homeowner over the course of the summer with no response. On August 29, 2016, City Staff condemned the dwelling and posted it as unsafe for human occupancy due to the amount of damage to the structure and the lack of work being done to repair it. To date, the owner has made no contact with the City regarding the Code violations or registering the dwelling as vacant. Currently the structure is vacant, with no active utilities and in a serious state of disrepair. Mrs. Townshend reviewed a presentation depicting the condition of the property **(Exhibit #1)**.

Staff recommended: 1) declaring this building and all accessory structures on this property dangerous; 2) ordering the property demolished by April 6, 2017 by the owner or equity owner at their own risk; 3) ordering the Building Inspector to cause the demolition of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) ordering the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Mr. Sudler asked if Staff saw any cracks in the foundation of the dwelling. Responding, Mrs. Townshend explained that staff had not done a structural inspection. She noted that typically if there is a lot of damage, a structural inspection would be required before the City would allow permits for major renovation; however, the only permits that staff had reviewed or received applications for were for the roof and ramp.

Mr. Sudler questioned if the main concern was the roof and if this was the most dangerous item on the list. In response, Mrs. Townshend stated that the roof was an issue and, stemming from that, the

interior damage from water getting into the building. She noted that there was rot and decay to the interior of the building, as well as mold, and these issues were problematic in terms of occupying the building.

Council President Slavin declared the public hearing open.

Mr. Michael Catrino, First Place Services, Selbyville, Delaware, stated that Caliber Home Loans, Inc. was the equity owner of this property. He stated that the owner of record retains ownership; however, in every mortgage or mortgage bought out, Caliber Home Loans has equity in the property. Mr. Catrino explained that once the mortgager starts defaulting on payments, Caliber Home Loans then has the right and authority to go in and change one lock, which they had recently done; however, they had not been awarded total ownership of this property. Mr. Catrino indicated that Caliber Home Loans had been notified of the violations through the City of Dover and hired him to come in, change the locks, and allow an inspector to come in on a monthly basis, and they approved certain items that were in violation. Mr. Catrino stated that improvements would include the parging of the front cement steps, noting that there was no structural damage in the front ramp and there was only facing and parging to be done. He indicated that they had checked under all the eight-inch block used for support, which was still there and in good condition. Mr. Catrino advised that the pouring and forming of a three-inch thick topcoat over the driveway was also approved. He noted that they had previously been talking about first spraying weedkiller on it, allowing that to set for 24 hours, forming the concrete at the existing boundaries of the current driveway, and then pouring a three-inch-thick topcoat and coming in 48 hours afterward and removing it. Mr. Catrino indicated that current bids had been approved for siding, stating his belief that there was 60 square feet on the rear of the house and six (6) linear feet of soffit and fascia at the rear of the house. He advised that repair of the gutters had been approved, as well as removal of approximately 4,000 square feet of drywall from the interior.

Ms. Heidi Catrino, owner, First Place Services, stated that they had been approved to remove all of the moldy drywall in each room that was mentioned and then to treat with 50/50 bleach all remaining studs and anything inside the walls. She stated that if there was moldy insulation, she would have to report it, so that could be approved as well. Ms. Catrino indicated that the use of Kilz paint on the remaining studs had also been approved to prevent future mold growth in those areas.

Mr. Catrino advised that they had the second permit that Mrs. Townshend had referred to. He stated that he had been told there would be a licensed roofer and they were waiting on bids, but this was separate from First Place Services. Mr. Catrino expressed his belief that Caliber Home Loans was trying to make repairs, noting that First Place Services was basically the eyes and ears of Caliber Home Loans, along with inspectors, to report any damages.

Ms. Catrino explained that Caliber Home Loans had emailed and asked them to attend the meeting to let members know that they had approved the issues that Staff had given citations for and allow them 30 days in order to get it done. She noted that she had been told to get approval for a permit and that time would be needed to do the work.

Mr. Hosfelt asked how long Caliber Homes had been part owner of this property. Responding, Mr. Catrino stated that, due to privacy laws, Caliber Homes does not tell them anything, noting that he had just found out the owner's name during the meeting. Mr. Hosfelt questioned when First Place

Services was given permission to do the work. Responding, Ms. Catrino advised that they were given permission to come to the meeting on February 28, 2017 and permission to do the work for the siding and gutters on February 24, 2017. She noted that on February 27, 2017, the steps, driveway, and removal of all the moldy drywall was approved.

Mr. Hutchison asked if there was an estimate of the cost to repair the house and put it into livable condition. Responding, Mr. Catrino stated that livable means different things to different people and estimated that it would cost approximately $40,000. Mr. Hutchison questioned when the original roof was put on. In response, Mr. Catrino stated that he did not know and could only give an estimate. In regard to whether the entire roof would need replacing, Mr. Catrino advised that the damage extended only to the rear portion of the building. He noted that he had not been to the property regarding the roof and did not really look at it or take pictures. Mr. Catrino stated his belief that the complete roof needed to be repaired.

Mr. Hutchison advised that he had been to the house that day, looked at the outside of it, and found it in extremely poor condition. He expressed the desire for the house to be in a condition that would be fitting to the neighborhood. Mr. Catrino reiterated his estimate that a total of $40,000 would bring it up to the standard of the neighborhood. Mr. Hutchison asked how long it would take the Catrinos to get the job done from the time they receive approval. In response, Mr. Catrino estimated that it would take approximately seven (7) days, noting that they were waiting on permits and planned to repair the siding, soffit, fascia, and driveway; parge the ramp; remove the drywall; and spray the studs and scrub them with bleach. Ms. Catrino indicated that they had already removed the debris from the back yard, put locks on, and winterized.

Mrs. Townshend stated her understanding that the scope of the Catrinos' services included removal of drywall but not bringing the house up to minimum Code standards, or putting in drywall or ceilings. Ms. Catrino indicated that they could, but everything must be approved. She noted that the carpet is stained and needs to be removed and replaced and they may be told to remove the carpet and bid to replace it or, in two (2) days or six (6) months, to put more carpet in. Ms. Catrino indicated that if she reported to M & M Mortgage that the City would give 30 days, the City would have to tell her exactly and completely what is expected so that she could let them know; otherwise, it was not going to happen. Ms. Catrino stated the need to be very clear with them.

Mr. Sudler stated his understanding that they were currently ready to be active with being in compliance and that part of their first phase was to remove the mold, which was a top priority. He asked if the roof was also part of active compliance. Responding, Ms. Catrino indicated that it was part of active compliance; however, this would be through M & M Mortgage but not through First Place Services. She noted that they would have to hire a licensed roofer.

Mr. Sudler questioned if some type of correspondence could be expected stating that the roof would be in compliance within the next 15 to 20 days if Council approved 30 or 60 days. In response, Mr. Catrino stated that he could not speak for the roofer.

Mr. Sudler asked if the company was willing to act and fix the roof upon approval. Mr. Catrino estimated that roof repair could occur within 30 days. Ms. Catrino explained that the email she received stated that 30 days was needed.

Mr. Sudler questioned if there was a need to know that the structure would not be torn down in order to move forward, and Mr. Catrino stated that there was. Mr. Catrino advised that there was a slippery slope because there had been different court opinions as to ownership, and the bank had to be careful not to overstep their bounds. He indicated that it looked like some of the work had been done before Caliber Home Loans' involvement, noting that drywall had been removed and piled up in the back room. He expressed his belief that, now that they were aware and working on trying to move forward, Caliber Home Loans and M & M Mortgage were trying to move forward and improve the property.

Mr. Sudler asked when the Catrinos were last in the unit. Responding, Ms. Catrino indicated that she was last there on the 23rd and saw the pile of drywall there on that date.

Mr. Slavin indicated that his comments were not directed at the Catrinos or their business; however, if a property owner waits until this moment to come forward, the matter is done, and the time when they should have come forward is far in the past. Responding, Mr. Catrino noted that they are not the property owners. Ms. Catrino explained that she had no idea who had the mortgage, how long they had it, or if they knew the situation.

Mr. Slavin advised that there had previously been people who came in and pled for 30 more days because they were doing the work themselves or had a contractor. He stated his understanding that the Catrinos had a contract for some of the work but could not speak for the roofer. Mr. Slavin indicated that he did not understand why interior work would be authorized without doing the roof, because this was probably a source of water penetration into the building. Mr. Catrino indicated that they had notified the bank, noting that they had to touch first base before they could touch second. Mr. Slavin expressed his belief that this matter was too mixed up.

There being no one else present wishing to speak, Council President Slavin declared the public hearing closed.

Mr. Hosfelt moved to accept staff's recommendation to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by April 6, 2017 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the demolition of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner. The motion was seconded by Mr. Hutchison.

Mr. Hare asked if Staff's recommendation was to bring the house up to Code or to demolish it. Responding, Mrs. Townshend clarified that Staff's recommendation was that either the owner would demolish it within 30 days or the City would come in 10 days after that and begin the demolition process. Mr. Hare questioned whether the house would be torn down if the whole house was totally up to Code and in perfect condition. Responding, Mrs. Townshend stated that it would be demolished and reiterated that Staff's recommendation was demolition, not repair.

Mr. Sudler stated that the purpose of demolishing units was because an individual is not willing to be in compliance and bring it up to code. He indicated that, with the demand for housing these days,

if there was a source that was willing to bring it up to code, the City should not demolish it. Mr. Sudler stated that he thought they should be given the opportunity to bring it up to code, stating that they were willing to be active and in compliance the first two (2) main concerns. He indicated that he would vote against Staff's recommendation because he believed this was mostly cosmetic and he did not think it should be torn down if there was someone willing to bring cosmetics up to Code.

Mr. Slavin stated that this would put Council in an awkward position once again and asked how long the City had been requesting that the property be brought up to Code. Responding, Mrs. Townshend advised that it was condemned in August 2016. Mr. Slavin expressed his opinion that sometimes members think that this is the first time that such properties have interaction with the City; however, it is the last time they interact with the City. He noted that Staff works on these properties, brings them forward and, at the last minute, Council undoes all the months of work that have been done.

Mr. Sudler stated that sometimes there are more than one owners involved, and there is a need to wait to get their approval. He indicated that if they are willing to bring the property up to code, the City should allow them to do so. Mr. Sudler understood and respected Staff's time, but also respected the fact that they were willing to bring it up to code. He noted the need for housing, stating that he thought members should go against Staff's recommendation and allow them to move forward with bringing it up to code.

Mr. Hare stated that he agreed with Mr. Sudler; however, he noted that the City used to have a statement that said that a property would be brought up to code within 30 days or demolished, and that had been changed. Mrs. Townshend advised that the City kept finding itself in a position where properties reached 40 days and were approximately 60% complete, and then in the position of deciding to demolish them after money had been put into them and after significant progress. She cited the example of another property that came before members approximately a year-and-a-half ago that had just finished repairs. Mrs. Townshend explained that the way that Staff makes recommendations was changed because Staff was being put in the constant position of either letting things go well beyond the 30 days or demolishing properties that people had invested a lot of resources into getting halfway complete.

Mr. Hare asked whether notices for this property were sent to the owner or the bank. Responding, Mrs. Townshend advised that they were sent to the owner of record, an attorney in Georgetown, Texas Commerce Bank, and Caliber Home Loans, Inc., and the most recent letters were sent on February 9, 2017. Mr. Hare questioned when previous notices were sent. Responding, Mrs. Townshend indicated that the owners had been getting regular Code violation notices.

Mr. Hare stated that it looked like the owners could not care less, noting that they were nowhere to be found. He asked when the banks became involved. Responding, Mrs. Townshend advised that they were notified by the letter dated February 9, 2017, noting that all lien holders are notified once Staff starts the dangerous building notification.

Mr. Hare advised that the banks were notified on February 9, 2016, had not yet been involved for 30 days, were not notified when the owners were and had been taking steps to get this taken care of. He indicated that the owners did not care and were gone. Mr. Hare stated that he could understand proceeding if the bank had been notified back in August or September and nothing had happened.

Mr. Hosfelt expressed the need to remember the neighbors who have to live beside this property.

Mr. Hutchison stated that his biggest concern with this issue was dealing with banks. He noted that there are a lot of homes that have notices put on them that list the names of banks; however, when someone reaches out to try to call someone, the call is not returned. Mr. Hutchison advised that if the Catrinos had been involved from the beginning, the problem could have been solved. He indicated that properties cannot be allowed to sit for a year or two (2) and continue to decline. Mr. Hutchison stated that he would not want to live next to this house, noting that he prefers to save houses if possible. He reiterated that his biggest concern was the banks that do not care about reaching out to the City or to people like the Catrinos, noting that if this had been done, the work would have been done two (2) years ago and people could have been living there.

Mr. Slavin stated that members were not asked to worry about banks but about citizens, noting that the neighbors were under a lot of pressure for different reasons. He advised that Eisenhower Drive is a transitional neighborhood where homes had traditionally been owner occupied. Mr. Slavin indicated that a lot of turnover and rental properties were being seen in that area right now, and homeowners were struggling with the overall quality of life. He stated that one of the biggest complaints at the neighborhood's homeowners association meetings was what would be done about vacant properties. Mr. Slavin advised that he felt it hypocritical to say that it is a quality of life issue that the City is addressing and that Staff will be sent out and then to worry about a bank not being notified at the very last second, after Staff has dedicated time to it. He stated that, if the bank owned the property, they had responsibilities, too.

Mr. Hare asked whether the house would be torn down if it was completely up to code on April 6th. Responding, Mr. Slavin stated his belief that members would hear from the City Planner long before that occurred.

Mr. Hare stated that he would not have a problem if the house was 50% up to Code on April 6th even if $50,000 had been put into it, stating it could then be torn down. He advised, however, that if it was 100% up to code and ready to move into, the City should save its money and not tear it down.

Mr. Sudler concurred with Mr. Hare, stating that in the past there had often been an argument that individuals did not care enough about the property to show up to state their disapproval. He concurred with the comments regarding Staff's time; however, he thought every situation was unique and this was one of those unique situations where Council could be a little lenient and allow them to bring it up to Code. Mr. Sudler indicated that it would cost taxpayer dollars to demolish the unit and there would be nothing wrong with saving some money and getting a guarantee that it would be brought up to Code. He stated that this would be fair since they were being proactive to bring it up to Code. Mr. Sudler noted that they had been notified on February 9, 2017; had approved siding on February 24, 2017; and were looking toward the steps and driveway on February 27, 2017.

The motion to accept staff's recommendation failed by a roll call vote of four (4) yes (Mr. Cole, Mr. Hosfelt, Mr. Hutchison, and Mr. Slavin), two (2) no (Mr. Sudler and Mr. Hare), and three (3) absent (Mr. Anderson, Mr. Neil, and Mr. Lewis). Council President Slavin advised that, in accordance with Article II, Section 10 of the Charter, no ordinance, resolution, motion or order shall be valid unless it shall have (1) the affirmative vote of a majority of the members elected to the council.

Mr. Hare moved that the property must be brought up to all Codes by April 6, 2017 or Staff's recommendation would be enacted. The motion was seconded by Mr. Sudler.

Mr. Cole stated his understanding that there would be no exception, and Mr. Hare and Mr. Sudler concurred. Mr. Slavin stated that the matter would not come back to Council but be left as a Staff decision, and Mr. Hare and Mr. Sudler concurred.

Mrs. Townshend clarified, specifically for the representative of the mortgage company, that bringing the property up to code would be beyond the scope of what had been approved by the bank at this point. She noted that a Certificate of Occupancy would be needed, and this would include making sure that the electrical is up to code and everything is put back so that the dwelling could be moved into.

Mr. Sudler asked what the maximum length of time would be to receive a Certificate of Occupancy. Responding, Mrs. Townshend advised that a Certificate of Occupancy could not be applied for until the work is completed. Mr. Sudler questioned how long it would take if the work was completed tomorrow. In response, Mrs. Townshend indicated that a Certificate of Occupancy inspection is typically scheduled within three (3) to four (4) days, or a week at the most.

Ms. Catrino stated her understanding that the electric and water would have to work. Mr. Hare stated that the walls must be up. Mr. Slavin cautioned that a Certificate of Occupancy is a legal threshold and not one that can be explained on the fly.

Mr. Sudler moved to suspend the rules to allow the Catrinos to speak, seconded by Mr. Hare and unanimously carried.

Mr. Catrino explained that they had just been notified of violations that had to be cured; however, it sounded like the home would have to be 100% prepared for occupancy and Certificate of Occupancy obtained by April 6, 2017. He indicated that they were trying; however, it was asking way too much to obtain an occupancy permit in less than 60 days. Responding, Mr. Slavin noted that the time period was 30 days.

Mr. Slavin noted that the scope of what would be fixed at this house by First Place Services was very limited and when they complete their work, the house would be only marginally further along the way toward being fixed. He stated that Staff's recommendation was that it should have been fixed already and he expressed his frustration. Mr. Catrino stated his understanding; however, he indicated that they were trying to take care of the violations that they were cited for. Mr. Slavin stated that there would probably have to be two or three other people such as the Catrinos to get all the work done. Mr. Catrino indicated it was unfortunate that they had not just given the work to him and it was spread through different vendors and contractors.

Mr. Sudler indicated that the Catrinos would have to let the bank know that, if they want the property to be saved, they would have to move forward and get the ball rolling because it could be condemned and they would not have the opportunity to get it released. In response, Mr. Catrino advised that they were working with different departments and government agencies and there was crossover. Mr. Sudler noted that, as a contractor himself, he understood the situation.

Mr. Slavin advised that the motion before members was to bring the property up to all Codes by April 6, 2017 with a Certificate of Occupancy and, absent that, to execute Staff's recommendation.

The motion that the property be brought up to all Codes with a Certificate of Occupancy by April 6, 2017 and, absent that, to execute Staff's recommendation to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by April 6, 2017 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the demolition of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner was carried by a unanimous roll call vote (Mr. Anderson, Mr. Neil, and Mr. Lewis absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 1175 HORSEPOND ROAD, OWNED BY MICHAEL S. GOODHAND

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised that the property is a single wide mobile home with a one room addition added. The dwelling was condemned as unfit for human habitation on February 8, 2017 due to the condition of the property and the lack of responsiveness on the part of the owner to correct violations. The dwelling is in a dilapidated condition, with two windows boarded, deteriorated skirting, damaged siding and a rear wooding deck that is rotted and a danger to walk on. Additionally, there are two wooding sheds that are also in a dilapidated condition. On March 7, 2013, the dwelling was registered as a vacant building. Since that time, the City has had to have the grass and overgrowth cut by a City Contractor on nine separate occasions. To date, the owner has made no contact with the City regarding the code violations or registering the dwelling as vacant. Currently the structure is vacant, with no active utilities and in a serious state of disrepair. Mrs. Townshend reviewed a presentation depicting the condition of the property **(Exhibit #2)**.

Mr. Hare stated that did not have a problem with Staff's recommendation; however, he questioned why it had taken so long to address the property, noting that problems began in 2001. Responding, Mrs. Townshend stated that in 2012 the City began having an Inspector focus full time on vacant buildings. In 2012 - 2013, when this was made a priority, more buildings were identified as vacant and registered. Mrs. Townshend indicated that the property is not located in a neighborhood and noted that there are fewer complaints in areas like this. She advised that it was, nonetheless, in very poor condition and needed to be addressed as it is dangerous.

Mr. Sudler stated his understanding that the first recommendation for the unit to be demolished was in 2001. Responding, Mrs. Townshend advised that utilities were terminated in 2001; therefore, to Staff's knowledge, it had been vacant since then. Mr. Sudler questioned when the owner registered the dwelling as abandoned. Mrs. Townshend explained that they had not registered it; however, the City registered it in 2013. Responding to Mr. Sudler, Mrs. Townshend stated that there was a registration fee.

Mr. Sudler asked why it took four (4) years from 2013 to bring the property to Council for demolition. In response, Mrs. Townshend explained that there are a lot of vacant buildings in the

City; however, not all of them come forward as dangerous. She noted that Staff works to prioritize them based on the degree of the deterioration of the building. Mrs. Townshend stated that many of the buildings that had been brought forward for demolition recently were those in neighborhoods that had received a lot of neighbor complaints.

Mr. Sudler asked if the dwelling was in the same or better condition in 2001. Responding, Mrs. Townshend advised that she did not know. He questioned if pictures had been taken in 2001 and if it was in the same or better condition in 2013. In response, Mrs. Townshend advised that she had not seen any pictures from 2013; however, a building that is vacant, abandoned, and not being tended to continues to deteriorate.

Mr. Sudler expressed his concern that the building at 236 Eisenhower Drive that was discussed earlier in the evening was being demolished within two (2) or three (3) years but was not as deteriorated and dilapidated as the property on Horsepond Road that had a 15- or 16-year history. In response, Mrs. Townshend advised that the property on Eisenhower Drive comes up regularly at Towne Point/White Oak Civic Association meetings. She stated that she did not think it was in better condition because its roof was practically missing. Mr. Sudler noted that the property on Horsepond Road had multiple dilapidated units. Mrs. Townshend reiterated that the property on Horsepond Road does not have a lot of neighbors and had not had an issue with people getting in. She concurred that it was in very poor condition but reiterated the need to prioritize because staff cannot bring everything forward. Mrs. Townshend advised that the Eisenhower Drive property is in the middle of a neighborhood. Mr. Sudler stated his belief that this was picking and choosing. Responding, Mrs. Townshend stated that prioritization means picking and choosing those properties which are more of a hazard. Mr. Sudler stated that the property on Horsepond Road should have been a top priority because it was way more dilapidated, in his opinion and in his professional opinion as a contractor.

Mr. Slavin asked if the owner of record was current on taxes. Responding, Mrs. Townshend advised that they were not.

Mr. Slavin questioned how big the plot of land was, indicating that he was curious why someone would walk away from a structure. In response, Mrs. Townshend stated that she did not have that information; however, she stated that it was a larger piece of land. Mr. Slavin indicated that the owner probably had more value in the land than the building, and Mrs. Townshend concurred. He expressed his belief that the owner was willing to take a lien against the land. Mrs. Townshend noted that the property may be on the Sheriff's sale list, stating her belief that it was two (2) years delinquent. Responding to Mrs. Townshend, Mr. Slavin indicated that it was not necessary to verify the information with the Tax Assessor.

Council President Slavin declared the public hearing open. There being no one present wishing to speak, Mr. Slavin declared the public hearing closed.

Mr. Sudler moved for approval of Staff's recommendation to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by April 6, 2017 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the demolition of the structures if not completed by the owner within 10 days of the date established by City Council; 4) order the City Manager with the assistance of the City

Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote (Mr. Anderson, Mr. Neil, and Mr. Lewis absent).

CITY MANAGER'S ANNOUNCEMENTS

The City Manager was not in attendance.

COUNCIL MEMBERS' ANNOUNCEMENTS

There were no members of Council wishing to make announcements.

Mr. Sudler moved for adjournment, seconded by Mr. Hosfelt and unanimously carried.

Meeting adjourned at 6:52 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of March 6, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 236 Eisenhower Drive
Exhibit #2 - Presentation - Violation of Dangerous Building Ordinance - 1175 Horsepond Road

Violation of Dangerous Building Ordinance 236 Eisenhower Drive

Planning & Inspections Department

Dover, Delaware

March 6, 2017

236 Eisenhower Drive
Case History

- 11 code enforcement cases since 2007
  - Exterior code violations – Grass violations
  - Vehicles parked in the yard – Junk and Debris
- The utilities were terminated on October 3, 2016
- Registered as vacant by the city on February 14, 2017
- Condemned as unfit for human occupancy on August 29, 2016
- Outstanding Charges
  - $125.00 vacant building fee
  - $514.31 utilities

236 Eisenhower Drive
Current Condition

- *Deterioration of the roof*
- *Mold and deterioration of interior due to water intrusion*
- *Deterioration of siding*
- *Overall deterioration and lack of maintenance*

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


236
08/25/2016 10:00


08/25/2016 09:59


08/25/2016 09:59






















09/29/2016 08:42




09/29/2016 08:42





Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **April 6, 2017** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Violation of Dangerous Building Ordinance 1175 Horsepond Road

Planning & Inspections Department

Dover, Delaware

March 6, 2017

1175 Horsepond Road
Case History

- 13 code enforcement cases since 2013
  - 11 cases were for tall grass and weeds. On 9 separate occasions City Staff had to have the grass cut by city contractors.
- The utilities were terminated on September 24, 2001.
- Registered as vacant by the city on September 11, 2013
- Condemned as unfit for human occupancy on February 8, 2017.
- Outstanding Charges
  - $5,422.02 in unpaid taxes, fees, grass cutting charges and code citations

1175 Horsepond Road
Current Condition

- Damaged and missing skirting
- Rotted deck
- Vegetation growing into the structure

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*




DANGER


DANGER
This Structure is Declared Unsafe For
Human Occupancy or Use.
It Is Unlawful For Any Person to Use or
Occupy This Building After
WILL BE PROSECUTED





























Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **April 6, 2017** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.