



Legislation Details (With Text)

File #: ALH 11-415 **Version:** 1
Type: Appeal-Legislative Hearing **Status:** Filed
In control: Legislative Hearings
Final action: 3/15/2011
Title: Appeal of Special Tax Assessment for 702 WILSON AVENUE for Project #: J1110A, Assessment #: 118034 in Ward 7.
Sponsors: Kathy Lantry
Indexes: Special Tax Assessments, Ward - 7
Code sections:
Attachments: 1. 702 Wilson Ave.J1110A.pdf, 2. 702 Wilson Ave.Work Order.pdf, 3. 702 Wilson-Documents.pdf, 4. 702 Wilson Ave J1110A.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------------------------------|--------|
| 3/15/2011 | 1 | Legislative Hearings | Referred Under Master Resolution | |

Appeal of Special Tax Assessment for 702 WILSON AVENUE for Project #: J1110A, Assessment #: 118034 in Ward 7.

Legislative Hearing Officer Recommendation

approve the assessment.

Tax Assessment Worksheet

Cost: \$1,460.00

Service Charge: \$140.00

Total Assessment: \$1,600.00

Gold Card Returned by: NA

Type of Order/Fee: Summary Abatement Order

Nuisance: Remove all improper storage wood, pipes, etc under the tarp in the rear driveway and also remove both piles of improper storage, buckets, rubbish on the sides of the house. ASAP.

Date of Orders:

Compliance Date: January 3, 2011

Re-Check Date: January 4, 2011

Date Work Done: January 6, 2011

Work Order #: 11-002404

Returned Mail?:

Comments:

History of Orders on Property:

Legislative Hearing Notes (if any)

Approve the assessment.

Robert Wicker and Connie Rongitsch appeared.

Ms. Moermond noted that staff did not have a chance to prepare a file on 702 Wilson Avenue and also do not have a video.

Inspector Essling reported that a Summary Abatement and a Vehicle Abatement were mailed September 29, 2010 with a compliance date of October 4, 2010. Both were appealed to this legislative hearing. An Extension was granted until December 15, 2010. On January 4, 2011, the inspector gave another extension for fifteen (15) days (Jan 19, 2011), due to the work crew being tied up with snow removal. After that, a Work Order was sent to Parks and the work was done at a cost of \$1,400 (\$420 for general refuse; \$140 service charge). There is an open file on this property; a re-check needs to be done. C of O also has an open file; they are investigating allegations of possible illegal _____.

Ms. Moermond noted that today the concern is about a clean-up.

Mr. Wicker restated that a 15-day extension was granted from January 4, 2011 to remove lumber. The City removed the lumber on January 5, 2011. There are building permits on that property; the lumber was to be used for the building permits on the property at 217-219 Bates, which has not been inspected by the City. There is also a building permit on 702 Wilson. The City not only removed the lumber; they removed the piping that was supposed to go into the garage floor for which the building permit was granted. They removed the steel. He stated that this is not a case where he owes the City \$1,600; this is a case where he's going to file suit against the City for about \$6,000/\$8,000 for taking the lumber illegally by Mr. Essling's own admission. He would like a copy of that. He does have a copy of the Work Order and it shows that on the 5th day of January, 2011, the City came out and removed the lumber and the steel even though he had building permits. He informed Ms. Moermond that he had cleaned up that street each day for nineteen years; he cleans up the neighbors' garbage. He cuts the neighbors' lawns and he shovels the snow for 215, 217, 219 Bates, 700, 702 and 704 Wilson. Not only that, but last week, he cleared the ice from 215 Bates. The car that Mr. Essling spoke about was licensed; it was one of their nineteen (19) vehicles. The bp station at Ruth and I94 had three (3) of their nineteen (19) vehicles; one of the cars that bp had was delivered by bp and put on the property at 702 Wilson without its proper license tags. They had that car removed within 24 hours from that property and it has not been back since. He went on to say that they have two (2) building permits and they need lumber and steel to complete the project. This material that was taken was not only stacked perfectly but covered with brand new tarps.

Inspector Seeley reported that they had filed an appeal prior to December 15, 2010. Ms. Moermond gave him until December 15, 2010. Mr. Wicker sent a letter to Ms. Seeley saying he wanted a 15-day extension, which she gave him. On January 4, 2011, she got another letter asking another 15-day extension. Considering the amount of snow on the ground, she gave him another extension because Parks was very busy. She went to 702 Wilson on January 4, 2011 and sent the Work Order. The City did the work on January 6, 2011. Regarding the materials under the tarp, she spoke with Christine at HPC on November 22, 2011 and found that there was only one (1) permit for this property and it was for a concrete slab at the back of 702 Wilson. There were no permits for Bates; there was no reason to have this storage because there were no permits that

would require all this wood and steel.

Mr. Wicker asked whether the City tells construction companies that they can have only a certain amount of lumber on a piece of property. He figures they lost between \$8,000 and \$10,000 for the lumber and for people to come in and oil this lumber so that it wouldn't rot. A concrete slab requires a footing, which require forms and steel. Doing this in the fall of the year requires that the concrete slab is covered. On top of the slab, the tarp is put; then, the lumber to hold the tarp down.

Ms. Moermond stated that she knows that an appeal had been heard here and that Mr. Wicker was given an extension, which was conditioned upon reducing one of those piles by at least half and better organizing the other pile. She knows that this is improper exterior storage, which is why the appeal wasn't granted to begin with. She knows that the last deadline was December 15, 2010, so, in spite of not having met those conditions, Mr. Wicker was granted the full length of the time in question. The extension granted on December 15, 2010 would have expired at the close of the year. The clean-up was actually done on January 6, 2011.

Mr. Wicker responded that two (2) extensions were granted: 1) on December 15, 2010; and 2) on January 4, 2011, signed by the City Clerk.

Ms. Moermond will recommend approval of this assessment.