

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, July 11, 2011
Immediately following meeting with
Benton County Board of Commissioners

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 5:54 p.m.

ROLL CALL

Councilors present: Councilors Dick Olsen, Jeff Christman, Bill Coburn, and Bessie Johnson.

Councilors absent: Councilor Floyd Collins.

UPDATE ON 337 SIXTH AVENUE SE DEMOLITION

Konopa said this was added after the Joint Work Session with Benton County. It is not a public hearing, it is just an update on the situation at 337 6th Avenue.

City Manager Wes Hare said the complaints about this property date back to 2007. The City's ordinance does not call for a hearing before the City Council in order for the demolition to take place. There was a Linn County court hearing, but this case does not require any Council action. However, since there have been newspaper articles about the property and since the public perception may be that the Council is responsible for the demolition, staff thought it would be good to show the information that was not presented in the newspaper.

Hare said that Building Official Manager Melanie Adams has done an outstanding job dealing with cases like this. They are not easy to deal with and property owners are often unwilling to step forward and take responsibility. The City is not in the business of demolishing houses and has only demolished one other house, following an arson. Hare said it is a tribute to Adams that she has been able to resolve most of the cases.

Adams said, we are not anxious to tear down this house; but staff has worked this case for four years. Staff has spent a lot of time trying to resolve the issues with the property owner in many ways, to no avail. Staff is now proposing demolition because they are out of options. Buildings are often overlooked as a hazard to a community. This house and the one across the street from it can hurt tenants and destroy property values. It can also take lives.

Adams said the photos that were printed in the *Albany Democrat-Herald* depicted what appeared to be a clean interior of the house. The article did not note that prior to it being cleaned up, 17 people, including children, lived in this 1,700 square foot house. The pictures Adams will show in the PowerPoint presentation will show why this house is dangerous and is a hazard to the community.

Adams gave a PowerPoint presentation (see agenda file).

Adams pointed out that the only permit taken out on this property, despite all the changes made to it, is one that was required by the power company to get the power turned back on.

Adams pointed out that the bathroom in the basement was shared by those in units that did not have bathrooms and also by tenants that lived across the street.

Adams pointed out that some of the spaces the landlord rented to tenants had no windows, lights, or running water.

Adams said there are no smoke detectors or lights in the hallway. There is also mold throughout the house.

Community Development Director Greg Byrne passed out a document regarding the chronology of events at this property (see agenda file). Byrne reviewed the document, which spanned four years of contacts staff made with the property owner. It is important for the Council to understand this chain of events. He said, we used every tool in our tool box over the last four years and demolition is the last option available.

Also on the dais was a letter dated July 23, 2008, from Hackleman Neighborhood Watch Co-Leaders, to the Drapers, including more than five pages of signatures (see agenda file).

Adams said, we try hard to work with folks to make sure things are safe but we did not get cooperation from this owner. We have tried to get voluntary compliance, but without success. There has been recent press about getting someone to step in and rehabilitate the house, and while that would be great, no one has come forward. Staff believes that at this juncture, demolition is the best option.

Councilor Bill Coburn asked, is the house for sale? Adams said, not that she knows of. Byrne said they heard it mentioned but it has not been listed. Coburn asked, do we have someone ready to demolish it? Adams said yes, we have a crew ready to go this week.

Councilor Jeff Christman said the picture in the newspaper showed a different interior than what was in the PowerPoint. He asked what the owners did to the house from the date of the PowerPoint pictures, to the date the pictures were taken for the newspaper. Adams said they painted the inside. It may look cleaner because the house is vacant, but the hazards remain.

Christman asked how many electrical meters there are. Adams said there are three. She noted that the meters were not permitted.

Councilor Bessie Johnson said she took a tour of the house with the Linn County appraiser that works in the area. She said that she has seen houses in worse shape than this. Also, the sheet rocking has been done. Johnson thinks there has been some work done because it doesn't look as bad as that. She thinks there are some different stories going around. She can see that there are a lot of things wrong with the house. She too wonders if it is for sale.

Discussion followed about whether or not to take testimony from those in the audience, even though it was not advertised as a public hearing.

Coburn would like to get more information. He realizes that staff spent four years on this, but sometimes these things can come to a head and then folks take notice. If the right person came in, perhaps they could gut the house and start over.

Councilor Dick Olsen said he walked around the house and it feels like a solid structure to him. He also talked to Councilor Floyd Collins and Olsen said Collins agreed with Olsen that they should put off the demolition until they get some indication as to whether there might be a buyer.

Olsen said that when the article showed up in the paper, it was the first he had heard of it. He also disagrees with the timeline in which it is reported to have been built. He passed out three pages of historic properties (see agenda file). He thinks it was built before 1900. There needs to be more research as to the date of the house to see if it is historical. He wants to hold off on demolition and have a public hearing.

Management Assistant/Public Information Officer Marilyn Smith pointed out that this house has been on the Code Enforcement reports that staff presents to Council each quarter. It has been on the report for four years.

Christman is frustrated that this is the second time the Council is being asked to overturn a judge's ruling, and in this case it was a court decision. He said, we need to get to a decision quickly and then move on.

The Council directed staff to schedule a public hearing for July 27, 2011.

Byrne reminded the public and the Council that they are operating under a court order. If the public or the Council want access to the house they need to ask Building staff. The building is supposed to be secure and empty.

ADJOURNMENT

There being no further business, the Work Session adjourned at 6:43 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
Deputy City Clerk

Stewart Taylor
Finance Director