

## MINUTES OF HOUSING BOARD OF APPEALS

DATE: 16 May 2017

TIME: 4:30 p.m.

PLACE: Housing Conference Room, Historic Federal Building

Vice Chairperson Dave Young called the meeting to order at 4:30 p.m. following staff assurance of compliance with Iowa Open Meeting Law.

Board Members Present:	David Young Gil Spence	Ron White	Mary Gotz
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Staff Present:	Ben Pothoff Joe Kirk	Alex Rogan Robert Boge	Tami Ernster
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Public Present:	Charles Searles Dave Stuart	Patricia Michel	Stuart Hoover
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### Review and Certification of Minutes of 21 March 2017 Housing Board of Appeals Meeting

Gil Spence motioned to approve the minutes. Ron White seconded. Motion passed 4-0.

### Correspondence/Public Input

There was no correspondence or public input.

### Consent Agenda

The consent agenda items are considered to be routine and non-controversial and all consent items will be normally voted upon in a single motion without any separate discussion on a particular item.

The following property owners have requested an extension of time to complete repairs. The Housing and Community Development staff concurs with the extension of time requested and respectfully requests Housing Appeals Board approval.

There were no items on the consent agenda.

ALL DEFICIENCIES AND MOTIONS ARE IN ACCORDANCE WITH THE DUBUQUE HOUSING CODE UNLESS OTHERWISE STATED. EXTENSIONS OF TIME ARE GRANTED IN ACCORDANCE WITH TITLE 6 SECTION 6-9F(1) AND VARIANCES ARE GRANTED IN ACCORDANCE WITH TITLE 6 SECTION 6-9F(2).

Mary Gotz motioned to accept the consent agenda. Ron White seconded. Motion passed 4-0.

### New Business

#### CASE #1

Aron and Robyn McDermott, owner of 1769 University Avenue, is requesting orders for a window glazing be dismissed at the present time.

This is a General Housing Inspection.

Gil Spence motioned to deny the request. Ron White seconded. Motion passed 4-0.

CASE #2

Gerald and Patricia Balvanz, owner of 169 St Marys Street, is requesting an extension of time to complete repairs on the property.

This is a General Housing Inspection.

Mary Gotz motioned to allow a three month extension from 5/16/17. Ron White seconded. Motion passed 4-0.

CASE #3

Charles N Searles, owner of 621 Garfield Avenue, is requesting an extension of time to complete repairs on the property.

This is a General Housing Inspection.

David Young motioned to grant a three month extension. Ron White seconded. Motion passed 4-0.

CASE #4

Patricia D Michel, owner of 1389 Locust Street, is requesting orders of the inspector be dismissed.

This is a General Housing Inspection.

Stuart Hoover was representing Ms. Michel. David Stuart was there as a witness. Mr. Hoover began questioning Robert Boge on peeling paint and deteriorated wood. After a number of questions, Ben Pothoff interrupted to state that Mr. Boge could be put under oath per Mr. Hoover's request as he had received confirmation from Crenna Brumwell via email that he should. Dave Young put Mr. Boge under oath. Dave Young put Mr. Stuart under oath. Mr. Hoover was reminded that there was only 10 minutes left to their presentation as to why the owner claimed the intent of the orders was incorrect. Time expired while Mr. Hoover was still questioning Mr. Boge on peeling paint.

David Young motioned to deny the appeal request. Ron White seconded. Motion passed 4-0.

CASE #5

Scott A Neuwoehner, owner of 375 Nevada Street, is requesting that a roof replacement order be dismissed.

This is a General Housing Inspection.

Dave Young put Mr. Rogan under oath. Mr. Young put Mr. Neuwoehner under oath. Mr. Neuwoehner stated that his roof is peeling and discarding debris, however, it is not leaking into the unit. He indicated that he would put on a new roof if and when it started leaking. The approved interpretation of the Code states that if there are two or more violations on a roof, in this case, deteriorated and shedding debris, the roof must be replaced.

Gil Spence motioned to deny the appeal request. Mary Gotz seconded. Motion passed 2-1 with Dave Young abstaining.

Old Business

There was no old business.

**Information Sharing**

A request was made asking for clarification and rules for putting persons under oath.

A request was made asking for a brief staff report on the status of properties coming before the board.

**Adjournment**

Dave Young motioned to adjourn the meeting. Mary Gotz seconded. Motion passed 4-0. The meeting was adjourned at 5:55 p.m.

Minutes prepared by:



Tami Ernster  
Permit Clerk

Respectfully submitted:



Ben Pothoff  
Rental Licensing and Inspection Supervisor