

**BRISTOL TENNESSEE BETTER PROPERTY BOARD
MEETING MINUTES
January 28, 2021**

Members Present:

**Pamela Offield, Chairwoman
Randall Cook, Vice-Chairman
Wayne Humphrey
Lonnie Barrett**

Members Absent:

John Cartwright

Staff Present:

**Cheyenne Powers, Codes Enforcement
Matt Bailey, Code Administrator
Tim Beavers, Development Services Director
Cari Seaton, Staff Attorney
Danielle Smith**

Public Present:

**Kathy Compton
Darlene Graham
Chris Foran
Sean St. Clair
Dennis Ley**

This meeting was conducted electronically using Zoom.

I. CALL TO ORDER:

Pamela Offield called the Bristol Tennessee Better Property Board meeting to order at 5:05 p.m. on Thursday, January 28, 2021. Mrs. Offield performed roll call. John Cartwright was absent. A quorum was declared.

II. DISCUSSION OF NECESSITY FOR CONDUCTING ELECTRONIC MEETING:

City Attorney Danielle Smith stated that Governor Lee suspended the provisions to the Open Meetings Act to the extent necessary for conducting the meeting electronically instead of physically in order to protect the health, safety and welfare of Tennesseans in light of the COVID-19 crisis. Mrs. Smith stated that the Better Property Board must make a determination on whether or not meeting electronically is necessary rather than in person. She also requested that a vote be done by roll call and that any member of the Board or Staff participating by video identify themselves when speaking or voting.

Randall Cook made a motion to conduct the meeting electronically, Lonnie Barrett seconded the motion. Pamela Offield asked board members if any further discussion on this matter was required. With no further discussion to be heard, roll call was performed; the motion carried unanimously.

III. APPROVAL OF MINUTES:

Randall Cook made a motion to approve the December 03, 2020 minutes as presented. Lonnie Barrett seconded; roll call was performed and the motion carried unanimously.

IV. PRELIMINARY INVESTIGATIONS

A. 2089 King College Road

Cheyenne Powers presented the property to the board and mentioned there were numerous complaints over the years due to junk and debris, and dilapidation of the barn. Staff is requesting a Public Hearing for the February 25, 2021 meeting due to the dilapidation of accessory structure, and junk and debris.

Wayne Humphrey made a motion to have a public hearing at the February 25, 2021 meeting, for the property located at 2089 King College Road, due to the dilapidation of the barn, and junk & debris. Randall Cook seconded; roll call was performed and the motion carried unanimously.

V. PUBLIC HEARING

A. 701 Alabama Street

Pam Offield presented the property at 701 Alabama Street for Public Hearing. Staff is requesting to postpone the public hearing to the February 25, 2021 meeting due to the unsuccessful attempts to notify the property owner of the public hearing date.

Wayne Humphrey made a motion to postpone the public hearing for the property located at 701 Alabama Street to the February 25, 2021 meeting due to the inability to contact the property owners with a notification of a public hearing date. Randall Cook seconded; roll call was performed and the motion carried unanimously.

B. 705 Alabama Street

Pam Offield presented the property at 705 Alabama Street for Public Hearing. Cheyenne Powers stated that the property owner for 705 Alabama Street is the same owner as 701 Alabama Street and staff has been unsuccessful at notifying the owner of the public hearing date. Staff is requesting to postpone the public hearing to the February 25, 2021 meeting to allow for additional time to inform the property owners of the public hearing.

Randall Cook made a motion to postpone the public hearing for the property located at 705 Alabama Street to the February 25, 2021 meeting due to the inability to contact the property owners with a notification of a public hearing date. Lonnie Barret seconded; roll call was performed and the motion carried unanimously.

C. 2662 Anderson Street

Pam Offield presented the property at 2662 Anderson Street for Public Hearing and asked if there was anyone from the public in attendance who wished to speak about the property.

There were no public comments regarding the property.

Cheyenne Powers presented the property located at 2662 Anderson Street and stated that Code Enforcement was notified about this property in March 2020 for vagrants living in the structure. The property was sold to Mr. Eddie Bolling, who has applied for a Demolition Permit. The damage assessment was performed and the estimated damage is 100%.

Staff is requesting an *Order to Demolish* with a sixty (60) day completion date and a progress report at the April 22, 2021 meeting.

Randall Cook made a motion to issue an *Order to Demolish* to the home with a sixty (60) day completion date for the property located at 2662 Anderson Street due to unfit for occupancy, damage to the foundation, and substructure damage. The damage assessment performed estimated 100% damage. Lonnie Barrett seconded, the motion carried unanimously. A progress report will be presented at the April 22, 2021 meeting.

VI. TRASH AND DEBRIS

A. None

VII. OLD BUSINESS

A. None

VIII. PROGRESS REPORT

A. 120 Esther Street

Cheyenne Powers presented the property at 120 Ester Street. The Board issued an *Order to Demolish* with a sixty (60) day completion date at the September 24, 220 meeting. The property owner, Mr. William Clark provided Codes Department with a written request to rescind the *Order to Demolish* and issue an *Order to Repair*.

The owner has performed repairs, which has provided adequate evidence of improvements. A new damage assessment was completed which has estimated the damage at 36.9%, which is lower than previous damage assessment.

Randall Cook asked if the owner has pulled any permits for repairs. Matt Bailey commented that there has not been any work performed that required a permit. However, there will be a Demolition Permit required for the garage, which has been communicated to the property owner.

Randall Cook made a motion to rescind the *Order to Demolish* at 120 Esther Street due to owner requesting an *Order to Rescind*, a new damage assessment at 36.9% and progress on repairs that required no permit. Lonnie Barrett seconded; roll call was performed and the motion carried unanimously.

Randall Cook made a motion to issue an *Order to Repair* with six (6) month completion date at 120 Esther Street due to adequate evidence of repair. Lonnie Barrett seconded; roll call was performed and the motion carried unanimously.

B. 1141 Indian Hills Drive

Pam Offield asked if there was anyone present from the public who wished to address this property. Tim Beavers commented that the owner Kathy Compton, the realtor Darlene Graham, and the contractor Chris Foran were present on the phone line to speak.

Darlene Graham, the realtor who is assisting the property owners with the repairs discussed the remaining work to be performed by the property owners and community volunteers. The property owner, Kathy Compton addressed the labor that she and her husband will provide for the repairs.

The contractor assisting the property owners, Chris Foran addressed discussed the differences of the estimate he provided the City for repair versus the City's estimate. Pam Offield directed Mr. Foran to discuss the repairs that are necessary for improvement and the permits required with Code Administrator, Matt Bailey.

The neighbor, Dennis Ley, called in to address the board. Mr. Ley, who resides at 1206 Indian Hills Drive, shared his concern about the length of time that the property at 1141 Indian Hills Drive has been non-compliant. Mr. Ley commented that minimal work has been performed on the property, and he feels that adequate repairs will not be made.

Wayne Humphrey commented that if the *Order to Demolish* is rescinded, the board should consider a sixty (60) day completion date on the *Order to Repair* if issued, and then allow Codes to pursue legal action if it went beyond sixty (60) days due to the amount of time that has been previously granted for repairs on the property located at 1141 Indian Hills Drive.

Cheyenne Powers disclosed that the property owners have been under a civil penalty of \$50.00 per day since August 2019 for unsanitary exterior conditions, junk and debris, and inoperable/unregistered vehicles.

Pam Offield inquired about the feasibility of filing a civil suit against the property owners for the lack of repair if an *Order to Repair* was issued and the property owners do not comply with the Order. City Attorney, Danielle Smith responded that due to the timeline of filing an injunction with the Chancery Court, it would be beneficial to rely on the processes within the Better Property Board to settle the concern.

Wayne Humphrey made a motion to rescind the *Order to Demolish* at the property located at 1141 Indian Hills Drive due to the amount of work that has been performed to repair the structure, and the community involvement of volunteers dedicated to continue to make necessary improvements, and the new damage assessment dropping to 51.8%. Randall Cook seconded the motion; roll call was performed and the motion carried unanimously.

Wayne Humphrey made a motion to issue an *Order to Repair* with a sixty (60) day completion date at 1141 Indian Hills Drive. The property owners are required to remove the remaining trash and debris and continue to make efforts toward repairs.

Randall Cook seconded the motion, and Lonnie Barrett requested that a progress report be provided at the February 25, 2021 meeting. Wayne Humphrey accepted the amendment to have a progress report at the February 25, 2021 meeting; roll call was performed and the motion carried unanimously.

C. 901 Georgia Avenue

Pam Offield asked if there was anyone present from the public who wished to address this property. Tim Beavers commented that Sean St. Clair was on the phone line to address the board.

Cheyenne Powers presented 901 Georgia Avenue property and commented that at the December 3, 2020 due to inactivity on the Code Repair permit which expired on December 1, 2020, an *Order to Demolish* with a sixty (60) day completion date was issued. The damage assessment on the property was estimated at 79.7%.

Sean St. Clair who resides at 3740 E. Kingbird Place, Chandler, Arizona addressed the board to discuss the letter he submitted to the City regarding the repair history and future repairs. He provided an estimated repair timeline of electrical work to be completed by April 30th, with a plumbing estimated repair timeline to be completed by June 30th, and estimates a habitable structure by December 1st.

Lonnie Barrett commented that the property owner has provided quotes from contractors for repairs but it does not appear that there are in contracts in place for repairs. Mr. St. Clair commented that under the Code Repair permit, the contractor, H.S. Martin Construction had subcontracted other contractors for plumbing and electrical.

Randall Cook stated that the property owner has not submitted a written request to rescind the *Order to Demolish*. Mr. St. Clair has recently taken over the property by way of Power of Attorney and was not aware that a written request to rescind the *Order to Demolish* was necessary. Mr. St. Clair will submit a written request to rescind the *Order to Demolish*.

Wayne Humphrey made a motion to extend the *Order to Demolish* on the property located at 901 Georgia Avenue until the February 25, 2021 meeting to allow Mr. St. Clair sufficient time to submit the written request. A progress report will be presented on this property at the February 25, 2021 meeting, and the board will discuss an *Order to Repair* if the written request to rescind has been submitted. Lonnie Barrett seconded the motion; roll call was performed and the motion carried unanimously.

D. 1105 Broad Street

Cheyenne Powers presented the progress report for 1105 Broad Street and commented that the board issued an *Order to Repair* at the October 22, 2020 meeting. Codes Department provided the property owner with Community Development Specialist, Christina Blevins' contact information to apply for the rehabilitation loan program. The property owner, Mr. Cornett did not qualify to receive assistance through the rehabilitation program. Cheyenne Powers stated that no work has been performed on the broken windows and unmaintained siding and guttering, and no permits have been applied for at 1105 Broad Street. Codes Department will pursue court action, however Ms. Powers commented that the earliest court date available is not until June 2021, therefore a progress report will be made at the June 24, 2021 meeting.

E. 1405 E. State Street

Cheyenne Powers presented the progress report for 1405 E. State Street, and commented that the new property owner, Brett Kessee has obtained a Demolition Permit and has begun the demolition process. The structure has been removed, leaving the foundation. A progress report on the remaining demolition will be presented at the March 25, 2021 meeting.

IX. FUTURE PROGRESS REPORTS

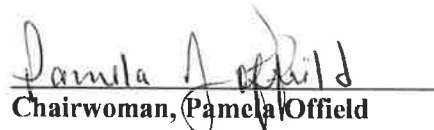
- A. 1208 Windsor Avenue 02/25/21
- B. 404 Pennsylvania Avenue 02/25/21
- C. 523 Lakeview Street 02/25/21
- D. 600 Bluff City Highway 02/25/21
- E. 902 Windsor Avenue 03/25/21
- F. 124 16th Street 03/25/21

X. OTHER BUSINESS

- A. Tim Beavers stated that staff would like to send out the Better Property Board Policies and Procedures for the board to review and consider amendments. Pam Offield inquired about the process of making amendments to the Policies and Procedures. City Attorney, Danielle Smith stated that the board would need to have a discussion and can adopt any amendments as voted upon in the board meetings.

- B. Pam Offield inquired about the Tennessee Governor's Executive Order regarding in-person meetings. City Attorney, Danielle Smith commented that most of the Executive Orders are set to expire on February 27, 2021, and Governor Lee's practice has been to update the orders near the expiration date. Pam Offield commented that the February meeting will be held electronically.

With no other business to discuss, the meeting was adjourned at 6:29 p.m.


Chairwoman, Pamela Offield