

AGENDA

PROPERTY OWNERS APPEAL BOARD PUBLIC HEARINGS

SEPTEMBER 18 & 20, 2017 ~ 6:00 P.M.
CITY OF FORT SMITH POLICE HEADQUARTERS
BARTLETT COMMUNITY ROOM
100 SOUTH 10TH STREET

CALL TO ORDER – Monday, September 18, 2017

ROLL CALL

- Karen Lewis (Chair) Megan Raynor Scott Monroe
 Joel Culberson Dennis Shaeffer

STATEMENT OF QUALIFICATIONS AND INTRODUCTION OF CITY STAFF

ITEMS OF BUSINESS

1. 3114 Neis

RSVP: Dennis Dobbins – August 15, 2017
Owner(s): Dennis I. & Sharilyn K. Dobbins
Cleaned: May 21, 2016 \$204.52
 August 2, 2016 \$234.77

2. 1008 Hillside Drive

RSVP: Jason Mendenhall – August 24, 2017
Owner(s): Hildred Duane Mendenhall
Cleaned: October 6, 2016 \$317.03

3. 8320 South 35th Terrace

RSVP: Nicole Silmon – September 5, 2017
Owner(s): Nicole Lee & Rossie & Harvey Silmon
Cleaned: August 8, 2016 \$424.64

4. Lot east of 2419 Birnie

RSVP: Kevin Keefner – September 14, 2017
Owner(s): Westphal Leasing, LLC
Cleaned: July 21, 2016 \$224.77

OTHER

ADJOURN

CALL TO ORDER ~ Wednesday, September 20, 2017

ROLL CALL

- Karen Lewis (Chair) Megan Raynor Scott Monroe
 Joel Culberson Dennis Shaeffer

STATEMENT OF QUALIFICATIONS AND INTRODUCTION OF CITY STAFF

ITEMS OF BUSINESS

1. **507 North 34th Street**
 RSVP: Jenny Joplin – August 14, 2017
 Owner(s): Jeremy E. & Jenny L. Joplin
 Cleaned: October 11, 2016 \$246.27

2. **Lot west of 2605 North 19th Street**
 RSVP: Nancy Vezina – August 18, 2017
 Owner(s): Nancy Vezina
 Cleaned: June 1, 2016 \$860.27

3. **221 North 17th Street**
 RSVP: Barbara B. Hyde – August 28, 2017
 Owner(s): Marshall L. & Barbara B. Hyde
 Cleaned: June 10, 2016 \$269.77

4. **1714 North 7th Street**
 RSVP: Enoyce Jackson – September 13, 2017
 Owner(s): Enoyce Jackson
 Cleaned: March 31, 2016 \$241.64

5. **2910 North “K” Street**
 RSVP: Enoyce Jackson – September 13, 2017
 Owner(s): Montel Tyrone Carey
 Cleaned: June 14, 2016 \$335.35
 July 20, 2016 \$203.28

OTHER

ADJOURN

CHRONOLOGY OF ASSIGNMENT
E16-1123
3114 Neis St.
Dennis L & Sharilyn K Dobbins

1.➤ **April 14, 2016**

Inspector Brandon Haynes posted a Courtesy Notice on the property for overgrown conditions.

➤ **April 22, 2016**

The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via 1st Class Mail to Dennis L & Sharilyn K Dobbins, 4408 Wynnewood Dr, Fort Smith, AR 72904 and to the tenant, James E Young at the 3114 Neis St address.

➤ **May 2, 2016**

Upon re-inspection the property remained in violation and a legal search was requested. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.

➤ **May 3, 2016**

A certified letter was mailed the owners with copies of the Warning and the cover letters. The letter was signed for by S Dobbins on May 9, 2016. The posting on the property and the sending of the certified letter met the requirements of legal notice.

➤ **May 17, 2016**

The property remained in violation so Inspector Haynes documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on May 21, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **July 15, 2016**

The property was once again in violation due to overgrown conditions. Inspector Scott Hamilton documented the violations for assignment to a contractor for abatement via digital media.

➤ **July 18, 2016**

The violations were assigned to the contractor for abatement and the contractor abated the violations on August 2, 2016.

Abatement Costs and Associated Fees were assessed as follow:**May 21, 2016**

Labor Charges	26.25
Photo Charges	16.00
Landfill Charges	<u>.00</u>
Subtotal	42.25
Administrative Fees	<u>162.27</u>

Totals **204.52**

August 2, 2016

Labor Charges	52.50
Photo Charges	20.00
Landfill Charges	<u>0.00</u>
Subtotal	72.50
Administrative Fees	<u>162.27</u>

Totals **234.77**

Grand Total: \$439.29

CHRONOLOGY OF ASSIGNMENT
E16-1147
1008 Hillside Dr.
Hildred Duane Mendenhall

2.

➤ **September 2, 2016**

Inspector Alex Marshall posted a Warning Notice on the property for dead limbs and overgrown conditions. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.

➤ **September 6, 2016**

The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via Certified Mail to Hildred Duane Mendenhall, 6807 S 8th St, Fort Smith, AR 72904 and via 1st Class Mail to the tenant, Cassandra Black at the 1008 Hillside Dr address.

➤ **September 20, 2016**

The certified letter was returned by the U.S. Post Office as 'UNCLAIMED'. (Please note that a certified letter to that address in June was signed for by Pamela Mendenhall). The posting on the property and the sending of the certified letter met the requirements of legal notice.

➤ **September 27, 2016**

The property remained in violation so Inspector Marshall documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on October 6, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

October 6, 2016

Labor Charges	113.75
Photo Charges	34.00
Landfill Charges	<u>9.01</u>
Subtotal	156.76
Administrative Fees	<u>160.27</u>

Grand Total: \$ 317.03

CHRONOLOGY OF ASSIGNMENT
E16-0722
8320 S 35th Terrace
Nicole Lee & Rossie & Harvey Silmon

➤ **July 8, 2016**

Inspector Alex Marshall posted a Warning Notice on the property for dead limbs, indoor furniture, open storage, trash & debris and overgrown conditions. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and known lien holders were shown as Superior Federal Bank of Fort Smith and Nationsbanc Mortgage Company of Dallas, TX.

➤ **July 11, 2016**

The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via Certified Mail to Nicole Lee & Rossie & Harvey Silmon, 8320 S 35th Ter, Fort Smith, AR 72908-9706 and to lien holders Superior Federal Bank of Fort Smith and Nationsbanc Mortgage Company of Dallas, TX. A letter was also sent via 1st Class Mail to the tenant.

➤ **July 18-25, 2016**

The certified letter to the owners was returned by the U.S. Post Office as 'UNCLAIMED' and the certified letter to Superior Federal was returned as 'Undeliverable As Addressed'. The certified letter to Nationsbanc Mortgage company was signed for by K Land on July 18, 2016. The posting on the property and the sending of the certified letters met the requirements of legal notice.

➤ **August 1, 2016**

The property remained in violation so Inspector Marshall documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on August 8, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

August 8, 2016

Labor Charges	192.50
Photo Charges	30.00
Landfill Charges	<u>12.39</u>
Subtotal	234.89
Administrative Fees	<u>189.75</u>

Grand Total: \$ 424.64

CHRONOLOGY OF ASSIGNMENT
E16-1880
Lot East of 2419 Birnie Ave
Westphal Leasing, LLC

4.

➤ **June 24, 2016**

Inspector Brandon Haynes posted a Courtesy Notice on the property for overgrown conditions.

➤ **June 27, 2016**

The office staff verified the owner through the County Assessors website. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.

➤ **June 27, 2016**

A copy of the Warning along with a cover letter was sent via Certified Mail to Westphal Leasing, LLC, 109 N 6th St, Fort Smith, AR 72901. The letter was signed for on June 29, 2016 and the U.S. Post Office returned the signed card to us on July 6, 2016.

➤ **July 14, 2016**

The property remained in violation so Inspector Haynes documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on July 21, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

July 21, 2016

Labor Charges	52.50
Photo Charges	16.00
Landfill Charges	<u>.00</u>
Subtotal	68.50
Administrative Fees	<u>156.27</u>

Grand Total: \$ 224.77

CHRONOLOGY OF ASSIGNMENT**E16-2419****507 N 34th St****Jeremy E & Jenny L Joplin**➤ **September 9, 2016**

Inspector Scott Hamilton posted a Warning Notice on the property for overgrown conditions.

➤ **September 12, 2016**

The office staff verified the owners through the County Assessors website. A copy of the Warning along with a cover letter was sent via 1st Class Mail to Jeremy E & Jenny L Joplin, 507 N 34th St, Fort Smith, AR 72903.

➤ **September 19, 2016**

The 1st Class letter had been returned by the U.S. Post Office as 'Undeliverable As Addressed'. Upon re-inspection the property remained in violation and a legal search was requested. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.

➤ **September 21, 2016**

A certified letter was mailed to Jeremy E & Jenny L Joplin, 507 N 34th St, Fort Smith, AR 72903 with copies of the Warning Notice and the cover letters.

➤ **September 28, 2016**

The certified letter was returned by the U.S. Post Office as 'Vacant – Unable To Forward'. The posting on the property and the sending of the certified letter met the requirements of legal notice.

➤ **October 5, 2016**

The property remained in violation so Inspector Hamilton documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on October 11, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

October 11, 2016

Labor Charges	70.00
Photo Charges	24.00
Landfill Charges	<u>0.00</u>
Subtotal	94.00
Administrative Fees	<u>152.27</u>

Grand Total: \$ 246.27

CHRONOLOGY OF ASSIGNMENT
E16-0823
Lot West of 2605 N 19th St
Nancy Vezina

- **March 29, 2016**
Inspector Brandon Haynes posted a Warning Notice on the property for dead limbs, indoor furniture, open storage, trash & debris and overgrown conditions.
- **March 30, 2016**
The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via 1st Class Mail to Nancy Vezina, 2605 N 19th St, Fort Smith, AR 72904.
- **April 11, 2016**
Upon re-inspection the property remained in violation and a legal search was requested. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.
- **April 12, 2016**
A certified letter was mailed to Nancy Vezina, 2605 N 19th St, Fort Smith, AR 72904 with copies of the Warning Notice and the cover letters.
- **April 23, 2016**
The certified letter was returned by the U.S. Post Office as 'UNCLAIMED'. The posting on the property and the sending of the certified letter met the requirements of legal notice.
- **May 5, 2016**
The property remained in violation so Inspector Hamilton documented the violations for assignment to a contractor for abatement via digital media. Due to the immensity of the abatement Inspector Haynes requested contractor bids for the project.
- **May 12, 2016**
Bids received were as follows: A & W Construction - \$700; Double N Lawn Rangers - \$850; Robin's International - \$900.
- **June 1, 2016**
The bid was awarded to and the violations abated by A & W Construction.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

- **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

June 1, 2016

Labor Charges	700.00
Photo Charges	.00
Landfill Charges	.00
Subtotal	700.00
Administrative Fees	160.27

Grand Total: \$ 860.27

CHRONOLOGY OF ASSIGNMENT
E16-1345
221 N 17th St / 1616 N C St (Same Parcel)
Marshall L & Barbara N Hyde

- **May 10, 2016**
Inspector Brandon Haynes posted a Warning Notice on the property for overgrown conditions and to trim back bushes along the sidewalk and in the alley to clear obstructions.
- **May 11, 2016**
The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via 1st Class Mail to Marshall L & Barbara N Hyde, 227 N 17th St, Fort Smith, AR 72901 and a copy to the tenant.
- **May 18, 2016**
Upon re-inspection the property remained in violation and a legal search was requested. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.
- **May 19, 2016**
A certified letter was mailed the owners with copies of the Warning and the cover letters. The letter was signed for by Barbara B Hyde on May 23, 2016. The posting on the property and the sending of the certified letter met the requirements of legal notice.
- **June 2, 2016**
The property remained in violation so Inspector Haynes documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on June 10, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

- **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

June 1, 2016

Labor Charges	87.50
Photo Charges	16.00
Landfill Charges	<u>.00</u>
Subtotal	103.50
Administrative Fees	<u>166.27</u>

Grand Total: \$ 269.77

CHRONOLOGY OF ASSIGNMENT**E16-0640****1714 N 7th St****Enoyce Jackson**➤ **March 9, 2016**

Inspector Brandon Haynes posted a Warning Notice on the property for dead limbs.

➤ **March 10, 2016**

The office staff verified the owner through the County Assessors website. A copy of the Warning along with a cover letter was sent via 1st Class Mail to Enoyce Jackson, 1714 N 17th St, Fort Smith, AR 72901. The 1st class letter was returned by the U.S. Post Office as 'Undeliverable As Addressed'.

➤ **March 17, 2016**

Upon re-inspection the property remained in violation and a legal search was requested. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found.

➤ **March 18, 2016**

A certified letter was mailed to the owners with copies of the Warning and the cover letters. The certified letter was returned by the U.S. Post Office on March 23, 2016. The posting on the property and the sending of the certified letter met the requirements of legal notice.

➤ **March 30, 2016**

The property remained in violation so Inspector Haynes documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on March 31, 2016.

NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).

➤ **No further violations appeared through the end of the calendar year.**

Abatement Costs and Associated Fees were assessed as follow:

June 1, 2016

Labor Charges	70.00
Photo Charges	14.00
Landfill Charges	<u>5.37</u>
Subtotal	89.37
Administrative Fees	<u>152.27</u>

Grand Total: \$ 241.64

CHRONOLOGY OF ASSIGNMENT
E16-1426
2910 N K St
Montel Tyrone Carey

- **May 13, 2016**
Inspector Scott Hamilton posted a Warning Notice on the property for dead limbs and overgrown conditions.
 - **May 17, 2016**
The office staff verified the owner through the County Assessors website. Arkansas Senate Bill 372 Item (7)(A) requires that any lienholders be given 7 days notice prior to undertaking any work on a property. A legal search was performed and no lien holders were found..
 - **May 17, 2016**
A copy of the Warning along with a cover letter was sent via Certified Mail to Montel Tyrone Carey, 5213 Wirsing Ave, Fort Smith, AR 72903.
 - **June 6, 2016**
The letter was returned by the U.S. Post Office marked as 'UNCLAIMED'. The posting on the property and the sending of the certified letter met the requirements of legal notice.
 - **June 13, 2016**
The property remained in violation so Inspector Hamilton documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on June 14, 2016.
- NOTE: Once Neighborhood Services abates overgrown conditions on a property, it has the authority to abate overgrown conditions on the property every thirty (30) days throughout the calendar year without further notice as stated in the cover letter as per Chapter 16 Nuisance Ordinances 16-8(a)(2).**
- **July 14, 2016**
The property was once again in violation due to overgrown conditions. Inspector Hamilton documented the violations for assignment to a contractor for abatement via digital media. The contractor abated the violations on July 20, 2016.

Abatement Costs and Associated Fees were assessed as follow:

June 14, 2016

Labor Charges	157.50
Photo Charges	22.00
Landfill Charges	<u>3.58</u>
Subtotal	183.08
Administrative Fees	<u>152.27</u>

Totals **335.35**

July 20, 2016

Labor Charges	35.00
Photo Charges	16.00
Landfill Charges	<u>0.00</u>
Subtotal	51.00
Administrative Fees	<u>152.28</u>

Totals **203.28**

Grand Total: \$538.63