

MINUTES OF THE PROPERTY OWNERS APPEAL BOARD

MONDAY ~ JULY 9, 2018 ~ 11:00 A.M.

PLANNING DEPARTMENT CONFERENCE ROOM

The meeting was called to order by Chairperson Karen Lewis, presiding. On roll call, the following members of the Property Owners Appeal Board (POAB) were also present: Megan Raynor, Scott Monroe and Dennis Shaeffer; absent - Joel Culberson. Chairperson Lewis declared a quorum present.

Each member of the POAB present introduced themselves conveying how long they've been property owners in Fort Smith. The following City of Fort Smith staff were also in attendance and introduced themselves as noted below:

- ▶ Sherri Gard, City Clerk
- ▶ Jimmie Deer, Building Official
- ▶ Rick Ruth, Neighborhood Services Supervisor
- ▶ Susan Sharp, Neighborhood Services Senior Clerk

The minutes of the May 14, 2018 meeting was presented for approval. Regarding Page 1 of said minutes, such originally identified the 2017 appeal hearing minutes as 2018, which is incorrect; therefore, such was revised to reflect same. Monroe, seconded by Raynor, moved approval of the minutes as revised. The members all voting aye, Chairperson Lewis declared the motion carried.

Item No. 1 was selection of the chairperson for July 2018 through July 2019.

Chairperson Lewis simply opened the floor for a nomination.

Mr. Monroe nominated Karen Lewis to serve as chairperson for the term of July 15, 2018 through July 14, 2019, and offered a motion nominating same. The motion was seconded by Shaeffer. The members present all voting aye, with the exception of Lewis who abstained, Chairperson Lewis declared the motion carried.

Property Owners Appeal Board - July 9, 2018

Item No. 2 was to consider and schedule dates for the 2018 appeal hearings regarding delinquent property cleanup liens.

City Clerk Sherri Gard provided a September 2018 calendar, which identified when the Bartlett Community Room is available for use.

There was brief discussion regarding POAB member, City staff, and the Bartlett Community Room availability dates whereby it was recommended that another venue be sought to accommodate either September 5 and 6 or September 10 and 11, and that the matter be tabled pending determination of the aforementioned. After additional discussion, it was determined September 5 and 11 would suffice for all in attendance.

Shaeffer, seconded by Monroe, moved to set the appeal hearings regarding delinquent property cleanup liens for Wednesday and Tuesday, September 5 and 11, 2018. The members present all voting aye, Chairperson Lewis declared the motion carried.

Item No. 3 was review of delinquent liens/properties to be included in the 2018 appeal process.

Mrs. Gard provided a preliminary list of all properties included in the 2018 appeal process citing such consists of 422 delinquent property cleanup liens totaling \$113,324.16. Said list maintains 187 properties with 158 property owners, many of whom are on the list year after year. The aforementioned statistics are preliminary numbers as the report from the Finance Department was just received. Next year's preliminary report will include a running tally of previous years statistics. The report provided at the 2018 appeal hearings will be updated to identify all repeat offender property owners. The City Clerk's Office will initiate the process of sending certified letters to property owners advising of the appeal

Property Owners Appeal Board - July 9, 2018

hearing dates and will include a request that property owners RSVP if they wish to attend the hearings. As required by law, appropriate notices will also be published in the Times Record. Upon completion of the appeal hearings before the POAB, liens remaining due and payable will be included on an ordinance for certification to the Sebastian County Tax Collector. Said ordinance will be presented to the Board of Directors for consideration at the November 20, 2018 regular meeting.

Item No. 4 was presentation of the inspections report from Neighborhood Services regarding cleanup (yards) and property maintenance code (structures).

Mrs. Gard advised Building Official Jimmie Deer provided a revised report just prior to the meeting citing said revision was relative to parking violations. The revised report was distributed to the POAB.

Mr. Deer provided a brief synopsis of the report. With regard to court cases, the newly appointed Judge Jim O'Hern (replaced Judge Ben Beland, who recently retired) appears to be a bit more aggressive with regard to compliance. For example, in the past, fines have been waived if compliance is completed; however, a resident was recently jailed for being in contempt of court for non-compliance. In another instance, a resident was fined \$500 with an additional \$50 per day until compliance was accomplished.

There was brief discussion regarding the notification process for out-of-town property owners, current staffing levels, the number of demolitions, enforcement of parking complaints, and process for submission of potential violations whereby Mr. Deer and Mr. Ruth provided a detailed explanation of each.

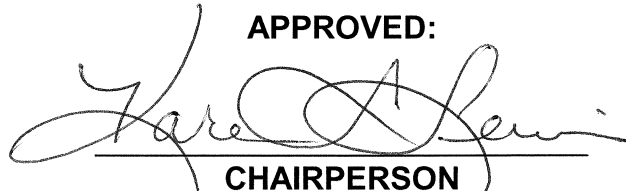
Several members of the POAB extended much appreciation to the Neighborhood

Property Owners Appeal Board - July 9, 2018

Services Division for their work and information provided year-after-year, citing it's beneficial to know if complaints are initiated by residents or simply noticed by City staff.

There being no further business to come before the Property Owners Appeal Board, Monroe moved that the meeting adjourn. The motion was seconded by Raynor; however, prior to the vote, Mr. Deer reminded the POAB of a recent variance request for subdivision development whereby the variance was granted to allow less than forty-percent (40%) of the front yard to be paved. Due to the aforementioned and the increase of residential development in the city, he simply forewarned that more requests of like nature could be forthcoming. The motion remaining on the floor and the members all voting aye, Chairperson Lewis declared the motion carried and the meeting stood adjourned at 11:38 a.m.

APPROVED:



CHAIRPERSON

ATTEST:



CITY CLERK