



**MINUTES**  
August 10, 2023

**BOARD OF APPEALS**  
**SEMI-ANNUAL MEETING**  
3:00 p.m.

**1. CALL TO ORDER**

The Semi-Annual Meeting of the Board of Appeals was called to order by Board Member and Chairperson, Bruce Hagler, on Thursday, August 10, 2023 at 3:00 p.m. in the Hutchison Conference room of the Civic Center.

**2. ROLL CALL (SILENT)**

The following Board members were present:

Bruce Hagler  
Andrea Seminer  
Arthur Pauly, Jr.  
Drew Haydu  
Brian Stenklyft  
Joseph Bales  
Tom Rutherford  
Pete Constant

The following members were not present:

Deanna Erdman

The following staff members were present:

Travis Cochran, Deputy City Attorney  
Kelly Aye, Legal Clerk

**3. APPROVAL OF JANUARY 24, 2023 MINUTES**

A motion was made by Board Member Pete Constant and seconded by Board Member Joseph Bales that the Minutes of the January 24, 2023 Board of Appeals Semi-Annual Meeting be approved.

AYES: Bruce Hagler

Andrea Seminer  
Arthur Pauly, Jr.  
Brian Stenklyft  
Tom Rutherford  
Joseph Bales  
Pete Constant  
Arthur Pauly, Jr.

NOES: None.

#### **4. PUBLIC COMMENT**

No one from the public offered any public comments.

#### **5. NEW BUSINESS**

##### **5.1. Board of Appeals Vacancy**

Deputy City Attorney Cochran spoke regarding the current vacancy on the board made by the resignation of Steve Miller.

##### **5.2 Code Enforcement Update**

Deputy City Attorney Cochran spoke on the current vacancy of the Code Enforcement Supervisor position. Retired Annuitant, Paul Camilleri is currently the role of Code enforcement Supervisor until the City hires a new supervisor.

Code enforcement statistics (Exhibit A) were handed out so the Board could see what Code enforcement has done in the last year.

Board Member Tom Rutherford asked if graffiti citations are issued to the property owner or the person committing the act. Deputy City Attorney Cochran responded that citations are generally issued to the business owners whereas the act of graffitiing is a penal code violation and would therefore be handled by the Police Department.

Board Member Drew Haydu asked how neighboring cities deal with basketball hoop violations. The City does not have the information on neighboring cities.

Board Member Arthur Pauly, Jr. asked what constitutes an open case not being closed during the year. Deputy City Attorney Cochran explained that cases are ongoing where the nuisance has not yet been abated and therefore they will remain open.

The Board exchanged dialog regarding the issuance of citations for graffiti and the prosecution of owners for graffiti done to their property. Deputy City Attorney Cochran explained that the City always wants to work with owners for compliance of the violation and will in many cases offer assistance in order to help achieve abatement of any nuisance. Fines are the last resort when an owner refuses abatement or compliance.

### 5.3 No Shows

Deputy City Attorney Cochran explained the meeting procedure for a no-show to an appeal hearing and the process for automatically denying or granting an appeal based on the party failing to appear before the Board.

Chairperson Bruce Hagler asked how long someone has in order to ask for a continuance of their hearing. Board Secretary Aye responded that the administrative regulations set a 72 hour requirement in order to request a continuance.

## **6. OLD BUSINESS**

6.1 None.

## **7. REPORTS/COMMENTS/QUESTIONS/SUGGESTIONS OF BOARD MEMBERS**

The Board offered requests regarding the kind of information offered in staff reports and how staff presents their report during the hearing. Deputy City Attorney Cochran will set up a training with staff in order to streamline the process and implement the Board's requests.

## **8. ADJOURNMENT**

A motion was made by Board Member Drew Haydu and seconded by Board Member Joseph Bales to adjourn the August 10, 2023 Board of Appeals Semi-Annual Meeting.

AYES:           Bruce Hagler  
                    Andrea Seminer  
                    Arthur Pauly, Jr.  
                    Brian Stenklyft  
                    Tom Rutherford  
                    Joseph Bales

Pete Constant  
Arthur Pauly, Jr.

NOES: None

Chairperson Bruce Hagler adjourned the August 10, 2023 Board of Appeals Semi-Annual Meeting at 4:03 p.m.

Kelly K. Aye  
Board Secretary

**Code Enforcement Statistics for 7/1/2022 through 7/31/2023**

Total Complaints Received / Cases Opened	2,775
Total Cases Closed	2,375 (85%)
Initial Response w/in 2 business days	93%
Initial Inspection win 5 business days	81%
Common Violation Types	Public Nuisance – 1,138 Encroachment – 632 Signs – 175 Zoning – 109 Substandard Building – 58 Graffiti - 205
Total Inspections	4,477
Cases w/ Citation Issued	83
Compliance Orders Issued	4