

**CITY OF ANNA MARIA  
CODE ENFORCEMENT BOARD  
FEBRUARY 13, 2006  
7:00 P.M.**

**CALL TO ORDER (7:00 P.M.)**

**ROLL CALL:** Chair William Iseman, Carl Pearman, Shirley O'Day, Jeff Murray

**Absent with excuse:** Vice-Chair Gordon Atkinson

**Also present:** Bobby Loulouides for the property owners (Angelo and Dhimitra Loulouides); City Attorney Jim Dye, Code Enforcement Officer Gerry Rathvon, Minutes Clerk Sylvie Reichmann

**Press:** Sun, Islander

**APPROVAL OF 11/14/05 MINUTES**

**MOTION:** Shirley O'Day moved to approve the minutes of November 14, 2005, and Jeff Murray seconded the motion.

**Vote:** All Ayes. Motion carried.

**1. Hearing on Case #2006-001 – Violation Notice #2005-17**

**237 Chilson Avenue**

Chair William Iseman noted, as the Board had discussed the subject last year after being faced with making a decision without a majority, that the Board may wish to continue this evening's hearing to a date certain, or when there would be an odd number of members in attendance. He asked those members present if they would be in accordance with postponing the hearing until such time as an odd number of members could be brought together to enable a majority decision.

Jeff Murray said that he did not feel well this evening, and that he would be willing to leave, if this would help the meeting continue. Shirley O'Day said she was not in agreement with postponing the meeting, regardless of the number of members present. Carl Pearman said he would like to conduct the hearing this evening.

Chair William Iseman said he would not be against Mr. Murray recusing himself. Shirley O'Day said she would prefer him to stay, if possible. Jeff Murray agreed to stay for the hearing.

Code Enforcement Officer Gerry Rathvon took the floor and reviewed the notices she had sent, the first, sent out on October 12<sup>th</sup>, 2005, being informational and requesting compliance. She itemized the list for compliance as: Cut high grass and weeds; remove a pile of dirt from the City right-of-way; remove abandoned vehicles that are unlicensed and undriven; have the swimming pool made operable; and make the setback for the shed 7 ft. from the property line. The

Code Enforcement Officer said that she mailed the notice to Angelo and Dhimitra Louloudes, owners of the property at 237 Chilson Avenue. Code Enforcement Officer Rathvon said that she saw that the shed had been standing where it was for 'a very long time', and distributed copies of photographs she had taken at the time. She said that she revisited the property before sending the second notice, and found that the dirt in the City right-of-way had been removed, but all the other violations remained. Code Enforcement Officer Rathvon reported that she mailed the Notice of Violation after this, her second visit to the property on November 2<sup>nd</sup>, 2005, adding several other items to her list of violations now outstanding, and giving the owners fourteen days to come into compliance.

Chair William Iseman asked how she had determined the vehicles were abandoned, and Code Enforcement Officer Gerry Rathvon responded that one vehicle had no license plate and three flat tires, and the other car sat in front of the garage with an expired plate, as it still does today. She confirmed that she had given the Louloudes' fourteen days to correct the violation. Code Enforcement Officer Gerry Rathvon said she agreed in discussion with the grandson, Bobby Louloudes, to allow more time, until January 2006. She said she visited the property again on January 11<sup>th</sup>, 2006, and distributed copies of the pictures taken on that date to members of the Board to review. The Code Enforcement Officer said she proceeded on that same date to mail out to the owners, both by certified and regular mail, the notice of this evening's hearing, and reported that she posted the property on January 17<sup>th</sup>, 2006. Code Enforcement Officer Rathvon presented the copies of the documents mailed out to the Louloudes' along with the signed certificate from the post office indicating that the mail had been picked up, to the Minutes Clerk for notation for the record that she had received them.

The Code Enforcement Officer showed Board members pictures of the property as it looked today, before this evening's meeting. She indicated that the east side of the property still had piled up bags of mulch, plywood leaning up against the house, and the PVC pipe was still lying where it was. Code Enforcement Officer Rathvon noted that the pool had at one point appeared to be operational, but now appeared to have deteriorated again.

Code Enforcement Officer Gerry Rathvon said she had been working on and off with the property owners for two years, and that she and volunteers had mowed and helped clean their property up. She said the property had now been allowed to revert to a poor condition from a code enforcement point of view. She stated that much had been done, however the property had returned to disarray, and confirmed to Chair Iseman that it now remained out of compliance.

The Minutes Clerk swore in Code Enforcement Officer and Bobby Louloudes to speak at this evening's hearing.

Bobby Louloudes took the floor and explained the family's hardship, including his inability to do the work around the house due to having broken his leg. He

said that he had been working on the problem, however, progress had been slow. Due to health problems with his grandparents and his father as well, Mr. Louloutes said that he had found himself alone to do the work.

Chair William Iseman asked how long the property had been in its current condition, in an effort to determine, if the property were cleaned up again, if it would simply revert to its neglected condition.

Bobby Loulourdes confirmed to Jeff Murray that he was not disabled as a result of his leg injury, but had yet to get and follow up from his physician. He confirmed that he was capable of doing two hours of work, after coming home from his job, to bring the property into compliance.

Chair William Iseman asked why outside contractors had not been sought to assist. Mr. Louloutes said that the barrier had been, and continued to be financial. He said that right now, he and his uncle were supporting the family. Mr. Louloutes explained, regarding the El Camino, that he had lost the title to the vehicle, and that he was in the process of getting assistance to obtain a replacement.

Shirley O'Day asked how long it would take to get the yard cleaned up. Mr. Louloutes responded that it would take approximately one month. He added that he could possibly have his car towed to his place of work until he receives the replacement title.

Chair William Iseman said he felt Mr. Louloutes needed to do whatever it would take to clear up the abandoned vehicle violation as quickly as possible. Chair Iseman asked Mr. Louloutes if he knew what was still required to be done to bring the property into compliance. Mr. Louloutes said that he would appreciate receiving a list of outstanding items for him to address. Chair William Iseman noted that the Notice of Violation sent to him set forth all the items. Mr. Louloutes said he would like to have a copy, since his grandfather had most likely lost the original.

Shirley O'Day asked for clarification regarding the shed and Code Enforcement Officer Gerry Rathvon's comment that it appeared to have been standing for many years. Code Enforcement Officer Gerry Rathvon responded this was the only shed she had seen, positioned up against the fence, and confirmed that she felt that it could meet grandfathering criteria. She also confirmed to Shirley O'Day that she felt that the shed could be removed from the violation list.

Chair William Iseman confirmed that Mr. Louloutes and Code Enforcement Officer Gerry Rathvon were mutually willing to maintain a dialogue if the Board assigned a date by which to have the property brought into compliance.

Chair William Iseman said he was of the opinion that a violation existed in this case, and that the Board should set a date certain to allow the property owners to bring the property into compliance. He noted the extenuating circumstances surrounding the Louloudes family, and suggested that Mr. Louloudes could work with the Code Enforcement Officer as necessary.

Shirley O'Day asked what the penalty would be for continuing non-compliance, and Chair Iseman. The Code Enforcement Board responded that financial sanctions of up to \$250 per day could be levied for non-compliance.

Bobby Louloudes suggested being allowed thirty days. Chair William Iseman said he would like to allow the Code Enforcement Officer to have time to inspect the property. He said, however, that he would be in agreement with a period of thirty days.

**After discussion with Code Enforcement Officer Gerry Rathvon, Shirley O'Day suggested March 29<sup>th</sup>, 2006 as a date, falling before the April meeting, which would allow her to inspect and mail out notices if necessary. There was consensus for this date among the members of the Board.**

Chair William Iseman asked City Attorney Jim Dye to draft a final administrative order for this evening's Code Enforcement Board hearing.

At 7:37 p.m., Chair Bill Iseman temporarily adjourned the meeting while the City Attorney prepared the draft. The meeting reconvened at 8:09 p.m.

Chair William Iseman asked for comments after the Code Enforcement Board members had read their copies of the proposed Final Administrative Order, prepared by City Attorney Dye. Shirley O'Day said, relative to Page 3, that she did not feel the Board had the right to specify if tires needed to be good, just that the vehicle could move. **City Attorney Jim Dye agreed to write "functioning tires". Shirley O'Day also stated that she felt the owners needed to have the option of filling the pool in with dirt. City Attorney Jim Dye agreed to add "or the pool may be filled in." There was consensus to adopt these changes.**

Code Enforcement Officer Gerry Rathvon said the corrections could be made by the day following this meeting so that Chair Iseman, if the Order would be approved, could have a correct copy to sign in front of the City Clerk.

**MOTION: Chair William Iseman moved that the Board adopt as its Final Administrative Order [attached to these minutes], the draft final administrative order, with the changes discussed at this evening's meeting. Shirley O'Day seconded the motion.**

**Vote: All Ayes. Motion carried unanimously.**

Bobby Loulouides thanked the Board and Chair William Iseman thanked him, adding that he hoped not to need to see him again.

**SET DATE FOR NEXT MEETING**

**There was consensus to set March 13<sup>th</sup>, 2006 as the date for the next Code Enforcement Board Meeting, pending further advice from Code Enforcement Officer Rathvon.**

**PUBLIC COMMENT**

None offered.

**PRESS COMMENT**

None offered.

**ADJOURNMENT**

Chair William Iseman adjourned the meeting at 8:20 p.m.