

**Public Hearing Minutes - October 29, 2019**  
**City Hall, Council Chambers**

**Call to Order:**

Mayor Novak called the public hearing to order at 6:30pm.

PRESENT: Council members A.Forsman, Kess, Debeltz, Omerza, Callen, and Mayor Novak

ABSENT: Council member Campbell

**Purpose:** This hearing will be held to discuss 106 E Harvey St, Ely, MN 55731

Mayor Novak indicated that Council Member Kess is the property owner that filed the appeal on the blight for the property at 106 E Harvey St, and he will be speaking from the audience as the property owner.

Kess gave background of the property at 106 E Harvey. Kess has owned the property for over 20 years, for many years it was a rental, but the last several years it has been vacant. During the time it has been vacant some vandalism has happened to the property. Kess indicated a few years ago a tree fell on the house and damaged portions of the soffit and messed up the side yard, Kess's intent is to fix the portion of the roof that the tree fell on.

Kess indicated that the house was built in the early 1900s and is a historic house in Ely. Kess indicated that he tried to get the house on the historic register, but they do not put single family houses on the register. Kess's plan is to preserve the historic nature of the house, he has been planning on doing it as a retirement project, and since he is now retired he will have the time to work on it.

Kess went through the items that Building Official Whitney indicated need to be corrected.

30 day corrections

- Secure dwelling by keeping the same securely locked as needed- Kess indicated that he has kept it locked and will continue to keep it secure.
- Remove all household goods, junk, and debris from the property. Kess stated that this was taken care of some time ago.
- Remove all garbage, trash, and debris from the property and dwelling. Kess stated that there wasn't any garbage around the property, but there was some debris from when they took off some of the siding to see if the siding underneath it was salvageable or not, but all that has gone to the dump.
- Clean up all overgrowth and volunteer brush. Kess stated that there are lilac bushes in the front and a hedge of trees in the front, on the back side where the tree had fallen, that has been cleaned up by a contractor.

Kess stated that everything on the 30 days Correction list has been taken care of.

60 day corrections

- Repair siding of dwelling – Kess indicated that the siding is the old asphalt against wood siding; it is in good shape on the three sides of the house, except where the tree took off the steps. The goal in the restoration is to remove all of the asphalt siding and replace or repair the wood siding that is there.
- Re-roofing the dwelling- Kess stated that with the damage to the soffit he has been looking for someone to work on the roof for a long time, and has not had any luck finding a roofer to come over. Kess's intent is to fix the roof next summer.
- Repair the windows as needed – Kess stated that all the windows are intact, some windows on the third floor are boarded up, some of the storm windows were hanging, but he has taken those storm windows down.

- Replace side steps – Kess indicated he does not intend to replace the side steps as it would promote vandalism, he will replace them when the time comes.
- Paint or finish all exterior surfaces as needed. – Kess stated he will do this as time comes.

Kess indicated that he has made improvements to the property over the last 10 years. He installed a new electrical service panel, replaced a portion of the back roof, repaired and rebuilt the chimney, removed the smaller home at the rear of the property, and installed new water and sewer lines. These items may not show but came at a considerable expense. Kess stated that he has made substantial investments but some of the improvements are not shown, he will continue to work on this property as time and money allows.

Kess chose to appeal it because it is best to communicate in public; he could have asked for an extension. This house is not neglected and house should not be considered blight.

Building Official Whitney indicated that the property has been vacant for some time; Whitney indicated that he has never issued a rental license for this property. Over the last few years he has received complaints on the property since it is in a visible location; recently he has received several different complaints about the property. Most the complaints recently were about the hanging windows, and things blowing off the house. Whitney indicated that the property has been sitting in disrepair. Whitney indicated that it seems like Kess is asking for more time. Most of the 30 day items have been taken care of. The bigger issues are the missing siding and making sure the roof is not leaking. An inspection report was included in the packet from September 4, 2019. Whitney went through the photos on the inspection report.

Kess indicated that there are not any leaks in the roof other than the soffit that needs to be fixed and the 3<sup>rd</sup> floor windows are boarded and fixed. Kess would ask to be considered for extension to complete the things that need to get done.

Mayor Novak asked that Whitney and Kess get together to come up with a timeline to get things completed.

Debeltz indicated that we need to be consistent with everyone in the city.

Lottie Pinckney -114 E Harvey St –

Pinckney indicated that what Kess is saying is not true; he has not cleaned up all the big sheets of concrete that are there on the side. There are shingles on the ground in her yard and he has not picked them up yet. Pinckney indicated that he has not done anything major in 5 years.

Kess stated that he will take care of the issues.

Whitney stated that there are a lot of blight properties around town. Whitney focuses on the ones that he gets complaints on and the ones that are visible. We need some specifics on a time line to get these items fixed from Kess.

Adjourn

Mayor Novak adjourned the Public Hearing at 6:57pm

Casey Velcheff  
Deputy Clerk