

MINUTES
WALTON PLAN COMMISSION
Monday March 6, 2023

President Brian Ayers called the meeting to order at 6:00 PM in the Walton Town Hall.

ROLL CALL:

Members present: Brian Ayers, Vincent Beeson, Mac Martin, Karen Lank, Melanie Kelly and Ron Eurit

Member absent: Christina Fischer, Chandler Eurit

Staff present: Jamey Harper, Ashley Rowe and Arin Shaver

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of February 6, 2023 were presented. Mr. Beeson motioned to approve as presented.

Mr. R. Eurit seconded the motion and all were in favor.

PUBLIC HEARING: None

REPORTS: None

OLD BUSINESS: None

NEW BUSINESS: Unsafe Properties

503 N Davis St, Jackson

Mrs. Shaver stated there has been no change to this property. Mr. Ayers asked if there was anyone present for this property. Leila Hellmann stated her name, also present for this property was Mike Jackson. Mrs. Shaver asked the Board if they wanted to talk to the owners to see what their plans are for cleaning up the property. Mr. Ayers stated the complaints the Board had was about the old furniture on the porch, stuff on the porch and a vehicle in the back of the property but that is a police matter. Mr. Ayers stated what the Plan Commission is trying to do is keep our town looking nice and cleaned up. Mrs. Hellmann stated the only thing she has on her porch are two rocking chairs. Mr. Ayers stated when he drove by the house there was a lot more stuff on the porch then that. Mrs. Hellmann stated the porch has been cleaned up. Mrs. Shaver asked the owner when the porch had been cleaned up for the minutes, Mrs. Hellmann stated months ago. They had been moving her in-laws so we left stuff on the porch. Mr. Beeson asked the owner if she was stating that everything has been cleaned up off the porch? Mrs. Hellmann stated the only thing on the porch now are two rocking chairs, a few odds and in things we pulled off the truck that we never brought in and a grill. Mr. Jackson stated that Mrs. Hellmann got the house in the divorce and he has not been allowed on the property. Mr. Jackson stated that he has been getting paperwork in the mail stating that there could be possible fines being levied on him. Mrs. Shaver stated your name must still be listed on the property. Mr. Jackson stated that she has never refinanced to get his name off of the property. Mrs. Shaver stated that by law we have to go by who the property owner is so technically you are still the owner, even if it is a court decision until it's changed on record. Mr. Jackson asked what can he do to get himself out of it, because at this point they aren't going to be able to refinance it. Mrs. Shaver stated you should contact your attorney and see if the courts can transfer it into her name. Mrs. Shaver stated that is more of what your attorney can do, all we can do is go off of what is on record. Mr. Jackson stated so if my name is left on the property that means he will be getting the fines. Mrs. Shaver stated no the property will be getting the fines, so the fines will be going on the property taxes. So, whoever is paying the property taxes will have to pay the fines. Mrs. Shaver stated the Board can decide to either move this property to another 30 days and re-inspect it to see if everything has been cleaned up, or you can dismiss it today. Mrs. Shaver recommends the Board move it to another 30 days, that way the Board can go check it out and see if it meets their standards. If it doesn't meet their standards then you will get another letter stating when the next meeting is. Just so that the Board has time to go check the property to see if they have any other concerns. Mr. A

asked the Board what their thoughts were. Mr. Beeson agreed to move it another 30 days. Mrs. Shaver stated the next meeting will be April 3rd meeting, re-inspecting on March 31st. Mrs. Hellmann asked so the porch was the only concern? Mrs. Shaver stated it was the property itself. Mr. Jackson stated according to the letter we received it was the grass, siding, the porch, etc. Mrs. Shaver stated that we have a general letter that we send out that classifies everything that could be unsafe. Mr. Hellmann asked if I enclose the carport I have and paint it, can we put the vehicle in there so it's out of site? Mrs. Shaver stated you would have to fill out a permit to change the carport into a garage, then you would be able to store it inside there. Mr. Beeson stated that one of the complaints a way's back was the vehicle parked on the grass and sidewalk. Miss Kelly is at the Town Hall during the day so she can check on the ordinance and let you know if you can change the carport to a garage.

Mr. Beeson motioned to bring this property back in 30 days, which it would be the April 3rd meeting, re-inspect on March 31st. Ms. Lank seconded the motion and all were in favor.

505 North St & 503 May St - Madrigal

Mrs. Shaver asked the audience if anyone was here for this property. Reynaldo Madrigal stated his name for the minutes. Mrs. Shaver stated there has not been much change to this property. Mr. Ayers stated this property has a lot of stuff along the fence and along the alley. Mrs. Shaver stated Mr. Madrigal owns 505 North St and 503 May St. Mrs. Shaver stated that Mr. Koppe had noted that Mr. Madrigal has been making progress on 503 May St. Mr. Beeson asked Mr. Madrigal if he has cleaned up the stuff inside the fence in the back yard? Mr. Madrigal stated yes, they just adopted a baby and working he just got a little behind on some stuff. Mrs. Shaver wanted to explain to the audience the typical process is to send this letter out to come to this meeting, it's just part of the process. Mr. Ayers stated as long as you are making progress on the property and letting the Board know your plan is, that's the Board's main concern. Mr. Madrigal stated that he has a concern he would like to talk to the Board about. He stated he is the only one that has access to his garage through the alley, he's the only one that maintains the alley. Mr. Madrigal has been putting stone in the alley for the last 10 years, the town should be maintaining the alley but they won't. Mr. Beeson stated we need to talk to Rick Lee about why Mr. Madrigal's alley isn't being maintained. Miss Kelly stated she has made a note of it and will talk to Rick Lee. Mr. Beeson stated that is the problem the town has had over the years former alleys have turned into easements, that's when the trash trucks use to use alleys to pick up trash. Mr. Ayers stated the main thing he had heard was the stuff in the back yard along the fence and yard, but if you are working on things and continue to we appreciate it.

Miss Kelly motioned to give Mr. Madrigal 30 days to keep making progress on his property at 505 North St, which would be the April 3rd meeting, re-inspect on March 31st. Mr. Martin seconded the motion and all were in favor.

Mr. Martin motioned to give Mr. Madrigal 30 days to keep making progress on his property at 503 May St, which would be the April 3rd meeting, re-inspect on March 31st. Mr. R. Eurit seconded the motion and all were in favor.

109 Main St, Rodabaugh

Mrs. Shaver stated the clean up of the piles has been done. The only thing that is left on the property is equipment for his business. Brandon Zell and Shelby Cree, 109 S Main St stated their name and address for the record. Mr. Ayers stated the main complaint was the stuff in the back and on the side walk, our main concern is if there are kids walking on the side walk and them not getting hurt or into something. Mr. Zell stated once he was aware of the issue he had the stuff cleaned up within 24 hours. Mrs. Shaver stated if the Board is good with the clean up of the property and the equipment is fine you can either deny the order or have them come back in 30 days so you can go check it out. Ms. Lank stated she has drove by the property and it does look a lot better. Shelby Cree asked the Board about putting up a privacy fence in the back of the property, we can put it on the property line but with the alley it's 5 feet off the property line? Mrs. Shaver stated that Miss Cree could talk to the Planning Dept. after the meeting to get details. Miss Cree stated they would like to put a shed on the property also.

Mr. Martin made the motion to deny the order since Mr. Zell has cleaned up the property.
Ms. Lank seconded the motion and all were in favor.

Mrs. Shaver stated that the Planning Dept was going to bring 208 Church St back but the letter didn't get sent out. So, we are going to send a letter for them to come in 30 day to the April 3rd meeting. Mrs. Shaver just wanted to make sure the Board was ok with that. Mrs. Shaver stated there are updated pictures on the back of the agenda. Mrs. Shaver stated that there is someone living in the house. Miss Kelly stated that they have had multiple complaints about the activity that is happening around the house. Denise Wiemer, 203 Church St, lives next door to the property. Mrs. Wiemer stated that there are children that live there, the activity has increased since the weather has gotten better. She stated one night there was a drug dealer going around the neighborhood trying to get into peoples houses because he didn't know which house the drug deal was suppose to happen in. Mrs. Wiemer is very concerned about this situation. Mrs. Shaver stated our inspector did say he noticed people were living in the house. Mrs. Shaver stated the Planning Dept will make sure we get the letter sent out so we can bring him to the April meeting and at that time we can talk about what steps the Board would like to take. There is a process where if you feel like its unsafe enough you can condemn it so that no one lives there if that's a problem for you. Our inspector has not inspected the inside, the outside does need some work done to it but Mrs. Shaver is not sure it's condemnable per say. It's boarded up and there are things missing, the foundation isn't crumbling. Mrs. Wiemer asked what if someone tries to go in the house, there is a pitbull dog that is in the house 24/7 that never goes outside. Mrs. Shaver stated we can let the Health Dept know about it and see if there is anything they can do, on the unsafe part of it we can send a letter. Mrs. Wiemer stated at least two of the kids are back at the house now since both parents are out of jail, the health concerns of the kids is a big concern. Mrs. Shaver asked if they were renting the house? Mrs. Wiemer stated they were buying the house but defaulted and then the property manager said they were squatting not paying their rent. Mrs. Wiemer stated the last two nights have been really tense for her, because their back door is 10 feet from her back door and she hears people banging on the door at 2:30 in the morning and people coming and going. Mrs. Shaver stated that the Health Dept will still take 30 days but they can require them to let them in, with us if they don't let us in we have to get a court order to make them let us in.

Ms. Lank asked the Board if there was any update on the Larry McArthur property? Miss Kelly stated she thought that he passed away. Miss Kelly stated she will get back with Ms. Lank about that property. Ms. Lank concern was the weeds were going to start growing soon. Mr. Ayers stated that we can make sure that the town sends a letter to them.

FLOOR WAS OPEN TO THE PUBLIC: None

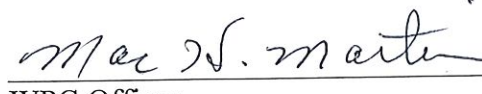
PUBLIC IN ATTENDANCE: See sign in sheet

ADJOURNMENT:

There was no further business to be brought before the Board. The meeting was adjourned at 6:33 PM March 6, 2023.



WPC Officer



WPC Officer



Ashley Rowe, Recording Secretary

