

FULL TRANSCRIPTS

JULY 23, 2002

HEARING REGARDING PROPERTY MAINTENANCE VIOLATIONS PURSUANT TO THE CODIFIED ORDINANCE SECTION 1323.09 (c):

- MAYOR SCHULTZ: Okay, we have moved to item number 17 on our agenda, this is a hearing regarding property maintenance violations pursuant to the codified ordinance section 1323.03. Garry, you've been waiting all night for this.
- MR. SWACKHAMER: Saved the best for last.
- MAYOR SCHULTZ: The best for last. Garry, do you have any idea how long you need to talk?
- MR. SWACKHAMER: Maybe 15-20, max?
- MAYOR SCHULTZ: Okay, great, I just wanted to...Steve, why don't we turn it over to you first.
- MR. LUTZ: Sure. Tonight Council has a hearing regarding property maintenance violations for Mr. Swackhamer. We've included in your packet violation notices which have went out which have gone out and Shawn will review those in a minute. Mr. Swackhamer had the right to appeal to either the Council or BZA if he so desires, and he requested an appeal before Council tonight. The City Council will consider issues tonight and really, you have three options. You can issue an order basically incorporating the determination and directions contained in the notice, i.e., withhold the notice that went out to him. You could modify the notice in any way you wish to, or you can withdraw the violation notice if you so desire. So you have great flexibility as to how you want to address this matter. As soon as the bulb is up and running, I think Shawn is prepared to give you a report on this, and then Mr. Swackhamer can present his proposed restoration schedule for his property. I don't know if a copy was distributed to you
- MAYOR SCHULTZ: Yes
- MR. LUTZ: But he has put together a work schedule which would complete his restoration by the fall of 2004.
- KEN MOLNAR: Mr. Mayor, this is an administrative hearing so anybody who testifies should be sworn in and their testimony should be given under oath. Procedurally, however you choose (unintelligible).
- MAYOR SCHULTZ: So, what do you suggest, that we all take an oath?
- KEN MOLNAR: No, anybody who is going to testify. Garry.
- MR. KAITSA: Staff
- MAYOR SCHULTZ: Is Council included in that?
- KEN MOLNAR: No, Garry, how many people you gonna testify in addition to yourself.
- MR. SWACKHAMER: No one.
- KEN MOLNAR: Is there anybody else who isn't an applicant, Mr. Swackhamer, going to testify?
- ED MITCHELL: I don't like what he's proposing...
- (tape ended)
- MAYOR SCHULTZ: It'd be good to just get sworn in since this is an official what did you call it?
- MR. LACKEY: Administrative Review.
- MAYOR SCHULTZ: Administrative Review. Anyone else intending to speak on this matter? Okay, go ahead, Ken?
- KEN MOLNAR: Could you raise your right hand? Do you swear and affirm the testimony you are going to present to this administrative body will be the whole truth and nothing but the truth so help you God?
- MR. SWACKHAMER: I do.
- MR. LUTZ: I do.
- ED MITCHELL: I do.
- MAYOR SCHULTZ: Did you give up on the projector?

MR. BETZ: Yep, we give up.

MAYOR SCHULTZ: Okay, Steve.

MR. LUTZ: Go ahead, Shawn.

MR. LEININGER: In lieu of the overheads, I made some copies. I don't know how they turned out, I didn't have a chance to actually go through them, but these are photos I've taken today of the property in question. In your packets, you should have received a cover letter and the notices that were sent to Mr. Swackhamer in regard to property maintenance issues as stated in section 1320, or chapter 1323, which is our property maintenance code. There are some other issues as well that are separate from the property maintenance code and those issues, at Garry's bequest can be appealed to the Board of Zoning Appeals. We're simply here to discuss the issues related to the property maintenance code. Uh, this initiated back in , at least my involvement, back on August 24, 2001, when we received a complaint about the property at 76 Scioto Street. You can see it progresses from August 24 and the second letter sent on May 13, uh, stating the violations and also requesting that a timeline be submitted to Staff for our approval in order for these violations to be remedied. The final notice was sent on July 2, uh, a little bit more detailed letter as far as addressing the guidelines, or the violations and what their remedies are, and addresses the hearing process, which is why we're here tonight. Um, since that time we've received a letter from Garry regarding the timeline, I believe you should have a copy of that as well that was handed out this evening. That timeline and there was also a schedule for an inventory that I put together that outlines what the issues are in the property maintenance code, what the violations are, what those issues are, and what the remedy is, and what the proposed timeline is. Uh, these are the pictures. As far as the violations, if we go through the pictures real quick I can point out the violations (Unintelligible). The first one is the garage. You can see, well, it's in black and white, but there's a blue tarp that has been pulled over the garage. Essentially what it is is some of the rafters, the roof rafters have to be replaced, there are openings in the garage, and I believe at one time it did fall in, crushed the window of one of his cars.

MAYOR SCHULTZ: So this um, I'll interrupt with a question. The garage then, at the top of this, is that, where is that located?

MR. LEININGER: That, if you, actually, if you look at the next page, you'll see the front of the house? It's just sitting to the left of the house, and slightly back from the front of the house. Um, and also, on the picture, on the upper right, you'll see a window is missing and been boarded over, uh, that's in violation of the property maintenance code, and the window that you see on the rear of the garage from that same picture, there's actually glass missing from that. That's also in violation of the property maintenance code.

MAYOR SCHULTZ: Say that again? The west side elevation?

MR. LEININGER: The upper right hand corner, here? Rear elevation of the garage? That window is missing.

MAYOR SCHULTZ: Oh, it's missing.

MR. LEININGER: There's mullions there, but it is missing the glass.

MAYOR SCHULTZ: Okay.

MR. KAITSA: Where was the other window?

MR. KLEIN: This one's been boarded up.

MR. KAITSA: Okay.

MAYOR SCHULTZ: Okay.

MR. LEININGER: Move into the single family residence. I intended to have a first (unintelligible) of the front elevation on the first, but that's okay. Looking at the side elevation on the same front sheet, uh, it didn't turn out so well, um, basically that bay window, and the trim around the windows is wood. The rest of the house is a glazed block. A lot of that wood is deteriorated. Some needs replaced, some doesn't, but it needs painted, most of the paint has chipped off. You can't see it from here. I should say most, but if not, a majority of it. So that needs painted, and sealed as written. The code, what it says is "weather-tight", and weather tight means some type of sealer or paint. There is also a section in the code that talks about (Unintelligible) ...getting into issues of well, if he just clear seals over it, is that justified in the code? Um, the front porch on the house, on the next

page? You can see that screen held up by some temporary supports. Uh, this is needed since the permanent columns are missing, it's holding the roof up and back against the house. And then you see the rear elevations of the house, more of the same that we talked about on the side as far as the wood, uh, some of it being deteriorated and needing paint. The third page is we'll call accessory structure A, which is the chicken coop. If you are looking at the front of the house, this is almost directly behind it, maybe off a little to the right. Um, this one, it's a little more obvious to see the windows and how the glass is missing and the sashes are also broken. The roof, if you look at this rear elevation, that's looking at the back of it, that also has a tarp over it where there are holes in the roof, you can see some of the shingles on the side of the coop are falling off. It also has problems in that the windows are trimmed in wood. That wood has deteriorated and needs painted and some of the wood also needs replaced. Moving onto sheet 4, which is accessory structure B, or the barn. This sits basically behind the garage, it's on the front sheet along the rear property line. Same issues that are on the other buildings, as far as the roof, you can see how on the outhouse building, the roof is actually caved in. the roof on the main part of the barn actually isn't violation of the code this time, however, it is showing sever signs of wear and tear, and could be a violation at a later date. Then also, the wood needs painted and also some of it repaired. And the windows. The windows are also an issue with this. There is some glass missing, some of the windows on the rear of the building and I believe the front, but it's hard to tell from the pictures. As a result of our July 2 letter, there was some correspondence sent from Garry this week with a time limit request in that letter. The timeline, basically, it addresses most of the issues. Some of them it didn't expressly say when that issue is going to be resolved, and that is shown on the spread sheet on the back. Sorry there's a lot of information here.

- MAYOR SCHULTZ: You're referring to this document?
- MR. LEININGER: Yeah, that spreadsheet.
- MAYOR SCHULTZ: That's dated July 15?
- MR. KLEIN: Um, before we leave the pictures, um, there was another picture here of cars. Can you address that?
- MR. LEININGER: Yeah, the cars are actually a violation of the Planning and Zoning Code, its 1145.06. What it is is that section of the code says that cars have to be operable. It means they have to have current tags, they have to be operable on the street. The gold car in front has a broken window which makes it inoperable on the street. There is also a section of the code that requires that vehicles be used. By used, that means they move every seven days. They can't sit in one spot for more than 7 days. These vehicles have set for 7 days and then there's a truck you can see that has parked, just make it out, parked in the grass.
- MR. KLEIN: I saw it.
- MR. LEININGER: That's a violation of the parking code. And those are issues that if Gary chooses, can be appealed to the Board of Zoning Appeals. Right now, we're just here for the property maintenance.
- MAYOR SCHULTZ: Okay, so really, for the moment, we should disregard this last sheet, miscellaneous violations.
- MR. LEININGER: Yeah.
- MAYOR SCHULTZ: Okay.
- MR. KLEIN: Okay.
- MR. LEININGER: The July 15.
- MR. KLEIN: Okay, you were talking about his time line response to you?
- MR. LEININGER: The time line, and our response to it.
- MAYOR SCHULTZ: That's this part. You've got it in front of you.
- MR. KLEIN: Oh, okay. This is his response?
- MR. LUTZ: That's his response, and then basically, that spreadsheet on the back is a summary of what the violation is that was addressed in the July 2 letter, and then what the issue is, what the remedy is, and then what, based on that letter that is attached to it, what his proposed completion date was.

MR. LACKEY: What would ordinarily completion dates be?

MR. LEININGER: 45 days with the possibility of a 30 day extension.

MR. LACKEY: And what is the penalty for failing to comply with that?

MR. LEININGER: We would contact Ken Molnar and take it to court. Start proceedings in court, whether it is fine, or.

MR. KAITSA: Would be the same process as with the Wright property?

MR. LEININGER: Yeah.

MR. KAITSA: Or not the Wright property, but the Barton.

MR. LEININGER: Barton.

MR. KAITSA: Adjacent to the Wright property.

MR. KLEIN: And how long has this condition existed.

MR. LEININGER: Uh, Dave might be a better person to ask that question.

MR. KLEIN: Based on the condition of the property, this has been an ongoing...

MR. BETZ: Been ongoing, yes. We, uh, Garry had worked with us, I believe it was spring of 2001 regarding the garage. Got a permit to do the structural work rebuilding it and did some work and then stopped.

MR. KLEIN: Okay.

MAYOR SCHULTZ: Okay, we cut you off, Shawn, what else did you have to tell us?

MR. LEININGER: Oh, that's fine. With this July 2 letter, instead of enforcing the 45 days, with the possibility of a 30 day extension, what we did, we asked for a time line and what Garry's schedule will be in order to work with him. Uh, this is the schedule, this is the response we got, which is basically a timeline to complete the items listed in the July 2 letter. I guess what Staff's preference would be is for the garage and the single family house to be done first. We would like to get that done.

MAYOR SCHULTZ: But it looks they are going to be done first, but...

MR. LEININGER: But we were hoping for a much sooner deadline. After those, we can worry about the accessory structures in the back.

MAYOR SCHULTZ: I'm sure Garry's going to show us more about this proposed plan. Questions for Shawn at this point?

MR. LACKEY: I'll stop as we go.

KEN MOLNAR: I have several administrative items if that's okay, Mr. Mayor. Number one, Shawn, the violations you've issued, I just want to make it clear, it's under code section 1323.04 and 1323.05?

MR. LEININGER: Yeah.

KEN MOLNAR: Secondly, the reason we're here is the letter you sent to Mr. Swackhamer dated July the second?

MR. LEININGER: Yes.

KEN MOLNAR: The clerk...take a copy of that and mark it Exhibit A (unintelligible).

MAYOR SCHULTZ: I'm sorry, Ken, are we waiting on you?

KEN MOLNAR: We're marking a copy of the notice of violation to Mr. Swackhamer dated July the second, which is exhibit A, and just giving it to the clerk for the record. And Mr. Leininger has indicated that the violations are under our code sections 1323.04 and 1323.05. (Unintelligible) I would suggest Mr. Mayor, whether you choose to have the Council inquire of our Staff first and at some point give the opportunity for Mr. Swackhamer to inquire of Staff also. He has the right to ask any questions.

- MAYOR SCHULTZ: Right, right. Yes. Is that all you need right now, then? Help me out here if I make (unintelligible) Okay, so at this point, we open, uh, Garry, for you to ask questions, for, of, Staff as well, as I guess you've prepared something, you want to talk, you said for 15 or 20 minutes?
- KEN MOLNAR: And, uh, Mr. Swackhamer, I apologize for calling you Garry.
- MR. SWACKHAMER: That's fine.
- KEN MOLNAR: If you want to ask any questions of Staff, you certainly...
- MR. SWACKHAMER: No, I think Shawn and I, you know, have worked close enough together, I, I know...
- KEN MOLNAR: It's up to you.
- MAYOR SCHULTZ: So, is it appropriate now to hear from Mr. Swackhamer or the public.
- KEN MOLNAR: Uh, however you wish to proceed (unintelligible)
- MAYOR SCHULTZ: Okay, does Council have questions for Staff? If none, why don't we go ahead and have Mr. Swackhamer speak? Yeah, if you can please, since we're trying to record this, if you can come up here and give your name for the record.
- MR. SWACKHAMER: Okay. Garry Swackhamer, 76 Scioto Street. Um, may I bring this up?
- MAYOR SCHULTZ: Sure.
- MR. SWACKHAMER: That is primarily what my house is constructed of. And I have problems because, had it been a wood frame construction, um, a lot of these issues with the porch would have been resolved quite some time ago. But this is pretty much like living in a glass house. If you strike that with any kind of effort, you'll go through the face of it. It is very hard to drill through, I've had to end up finding people that work with uh, doing, uh, headstones and cemeteries to find bits that they use for granite. There's nothing that will cut through it. I have a letter here from one of my neighbors, um, Ann Mertz, at 91 E. Case Street that I'd like to read. And she writes:  
"from my own experience, I know house restoration is a long time project, or I'm sorry, a long-term project. I am currently working on my eighth old house. Also, as restoration goes on, so does everyday maintenance and chores. Along with going to a workplace each day to earn money needed for the restoration and general upkeep, it takes time and money. Restoration is also an inside-outside job. Most of the work is done in areas that aren't seen in the finished work. Without the inside hidden things done first, the restoration will not work properly. I know Garry to be conscientious, precise about his property restoration, always taking into account safety and health factors. Garry spends whatever time he can working on his property, making improvements. He has owned this property approximately 3 ½ years." And I basically won't read the rest. It's about me, but I'll turn it over to the clerk.
- MR. LACKEY: Garry, is that an adjacent neighbor, or?
- MR. SWACKHAMER: She lives on the corner of Case and Depot, so the backs of our houses are caddy-corner facing each other pretty much.
- KEN MOLNAR: Can I interrupt one more time, and Dawn, make that exhibit 1? And to address the issue, this really isn't a court hearing, and this probably wouldn't be admissible in court. Since this is an Administrative Hearing, there's a lot of latitude. (Unintelligible) excuse me (unintelligible) interruption.
- MR. SWACKHAMER: She apologized for not being able to attend, but this was her golf night. I don't normally read from pages, but I'll try to paraphrase. First I'd like to take the time to thank Dawn for setting up this meeting for me. It's short notice. Just a brief history. My family has resided in Powell for over 100 years. 75 of those years having been spent at 76 Scioto Street. The house in question. The house is a two-story construction of glazed block and was built by the Case Brothers in 1910. After the demise of my grandfather in the mid-eighties, my mother and I moved in to take care of my grandmother and maintain the house and property. After my grandmother's death, I purchased the house from the heirs that had owned the house for a little over 3 years. At the time of purchase, there was so much wrong with the property I couldn't even get a conventional loan. Pretty much the way you see the outbuildings today is pretty much the way I purchased it. Um, since ownership, I've replaced a 60-amp knob-and-tube electrical system with Romex and 200 amp service. Hand-dug and installed a sump pump in the basement, replaced the oil furnace with a high-efficiency gas furnace, installed central air conditioning, replaced the front porch. Uh, the front

porch was replaced and ready for use, um, at a cost of \$6,000 several years ago. Over the course of the winter, all the floor boards warped and buckled, pushed the sides of the porch out, and the roof pulled away from the house. At that time, I did not own the house. My lawyer and older brother advised me not to put any more money in the house, so it sat until I purchased the house. Um, other items that I have done since I've been in the house is replaced the shingles on the main roof, rebuilt the enclosed back porch roof installing new shingles and rebuilt and shingled the south roof on the chicken coop, which I don't know whether you have a picture of that, it doesn't show up too well. About the porch roof pulling away, as soon as I found out that had happened, I consulted and hired a structural engineer. His method was to drill into the face of the block and put expansion poles. The problem with that is, any kind of wind shear on the porch, having something that is brittle as that would tear out the whole face of my house. I have contacted and consulted with other restorations. I got on the web site. Architects, um, worked with the state, architects that I knew on the side, and, uh, until last fall, a solution to correct that wasn't established. Basically, what will happen, none of the restoration on the porch can begin until the roof could be stabilized. There is a company called A-1 concrete which pumps concrete. By me making an inch hole in the concrete, these blocks all line up and they're hollow. So by putting my carriage bolts in and extending them to the back wall of the block and epoxying the front so the cement cannot get out, I can then go ahead and fill the block with concrete and put my ceiling joist on the porch back against the back of the house. Once that's done, replacement of the perimeter of the porch and the floorboards can take place. Um, I'm having to have new, I started to strip the original columns uh they were in worse shape than I thought. I've had them custom made. At this time, I don't have a deadline from my carpenter when those are going to be. My intent according to the schedule is to do everything uh this year, uh, I may not get the pillars back up this year, but uh, its one of those things, even in the winter, those can be put up.

The garage, um, as David had mentioned, a few years back, the masonry wall caved in on the west side and with it, it pulled in the roof on top of a car I had stored in there. This was late in the year, um, I tried to hire a mason to do the work. I waited for three weeks, he never came. I had to do the work myself. At that point, I got the masonry done before the winter set in, I got the roof joist and trusses, or the roof joist and plate replaced on that side of the roof and I had achieved a ¾ inch plywood. I boarded up the window on the west side, which you see plywood in there, currently. It had smashed that window when it caved in. I covered it for next year. Uh, when spring came around the next year, uh, much to my chagrin, the plywood had warped and delaminated. I had to remove all of that. I had to buy new. I replaced that. By that time, I was informed that the back porch roof was leaking, so I left the cover on the garage roof. Hence Dave had said the work stopped on the garage. That is correct. Uh, I went to work on the back porch roof replacing rotted timbers. Mind you, following the guidelines of the Historical District, saving what I could. Epoxying what I could, and taking materials from other areas that match. There was time that when you are doing restoration work, materials are very hard to find. You are supposed to replace in kind. A lot of the times that it is not possible, so you have to come up with other alternatives. Some of the days are spent in doing nothing, maybe a day and a half to two days on getting materials, so you start losing time on that. I do the work myself. I get the materials myself. I have a limit on when I can work on it because I work 45-50 hours a week for the state. You know, the blood pressure medicine I'm on, I can't work in extreme heat or extreme sun. So, it limits certain times of the year that I cannot work out like I would like to. So at this point, currently to date, I've replaced pretty much all of the rafters that are rotten in the garage. I'm working on the south now. That should be wrapped up pretty shortly. I have all the materials to put the wood sheathing back on. Uh, and tar paper, however, it will have to be tarped until September when it was cool and I can't work out in the sun. And the time between that period and doing the actual shingling, I will be working on the porch. I do a lot of reading and I watch a lot of documentaries on restoration. It is not uncommon for a couple to buy a home and spend 6 - 12 years on restoration. When I prioritize my work, I prioritize my work like I do with the state. Life safety issues first. Things like crumbling paint or things along those lines that are just for looks are very low priority. Um, my concern at this time is to get the garage work done, um, make certain that the other violations are taken care of as far as one of the cars does go back in the garage, the one that has the smashed windshield. As you see on my statement, any exposed wood on the house will be clear-sealed. I wish to change the color of the house. I don't want to add any color on at this time. As far as rotting wood on the main house, on the bay window, there are 203 shingles that have fallen off, because, just like slate, the nails have rusted through and the shingles have dropped. Hence, you see an area that is not painted. That would normally be under other shingles so you'd never get paint to that. The problem I have is that I find with this is it's not something I'm going to let go. This is my family's homestead. I'm not going to let it go into decay. I, unlike a lot of my neighbors and people in that area have more outbuildings than any of them. I work on it, as I say, when I can and when I have the money to do so. It is not something I've ever stopped working on. It gets to the point that all my vacation time and extra money is spent on working on the property. I'm not someone that leaves construction debris out all the time, my tools out all the time, and leaving mess around. I

think I'm very courteous to my neighbors. I don't make any noise before 9:00 a.m., and I know the village allows me to pound until 10 if I want to. I cut that off at 9 – 9:30 as well.

As a project manager for the State of Ohio, we know that when we do a restoration work for one of our hospitals, we have to give that project 15-25% more money because we know there are going to be latent things we're not aware of. At the same token, we also have to increase the contingency fund because we know again that there are going to be things we haven't thought of. This is also true with what I'm working on with my house. There's things I wish weren't bad and they are. I wish I wasn't as dedicated to follow the guidelines. I am. Probably not as fast. I can't afford to hire a crew to do this work. Even if I could, I'm not sure I would because of the quality of work some of these people do. I can't afford to redo it again. As it is now, I'm out \$6,000 that I have to do again. I let someone else do the work. Shame on me. Um, I spend a lot of time prioritizing. As I say, my intent is to always finish a project once I'm on it, but I'll be quite frank, gentlemen, if my house is leaking or something is wrong with the main house where I stay, the priority is going to go to my main house. Uh, I don't disagree with anything that Shawn has down on his sheet, however, I would say to you that we don't seem to get credit for things we already done in the past. It seems like we have a lot of sticks to pass out but no carrots. It's often that my neighbors including myself that have gotten letters from the village and uh, but I don't think anyone's ever gotten a letter from the village saying good job, keep up the good work. It takes just as much time to do that. Um. Let's see.

I know in the past, this Council has made a decision to speak and meet with the various neighborhood associations to get their input on their ideas and their problems and things like that. Unfortunately, I haven't seen anything regarding the historical district. We don't have a neighborhood association, so this is my only forum to talk about such things.

Lastly, um, I'd like to say that I understand we all need to be guided by rules and regulations but I don't think violations are issued on an equal basis. Two examples being we have a house on North Liberty Street that was told to change their shingle color several years ago and nothing has happened. Secondly, the Historical District Commission granted demolition to a house on west Olentangy Street that was basically destroyed by a lack of a roof. I find myself to be in shock that we would allow a house to completely be destroyed because a roof leaked, and I get a letter about some paint on my house being chipped or peeled.

To sum up, I'd like to say that knowing what I know now, on the decisions I've made in the past, to my best efforts and the time and money available, there wouldn't be a thing I could do to change this. It's pretty much a course laid out for me. I inherited, as I said, I inherited things that are 20-25 years of neglect, I'm putting out fires, gentleman, I'm going from place to place to try to get things fixed so they don't deteriorate any further, and I'm sorry if my priorities doesn't match the City's priorities, but as I say, for my health, my time, and the money I have available to do this stuff, I can guarantee you I've done the best I can or could have. And I would think you would want people to address these issues very seriously and when they get into restoration it's because of a love of restoration. That's why I'm doing it. I'm doing it right. I don't have time or the money to do it again. My goal is to come and ask to be allowed to put a bed and breakfast in the future, so you can understand why I want everything done right the first time.

Um, as far as the schedule, Shawn has broke that down for you. Uh, Shawn I thought I had, and maybe I didn't, I thought I indicated the replacement of the window glass would be at the same time as the window and that. And these gentlemen, the windows, and the chicken coop and the barn, when I got the building, you can't put glass in them, they're too far gone in the sash. I have windows that I want to go to the HDC commission and see if they'll approve for them. I have them installed currently in the garage, which I think would compliment the two buildings. So some of these things I'm going to have to go to the Historic District Commission for approval before I can do it. Color included on the house. Is there any questions.

MR. LACKEY: Garry, you've got a long history not only as a resident of Powell, but you've been a frequent donator of your time through various offices you've held with the City of Powell. You've also shown great interest in the City and the Historic District. I just want to clarify a couple of things. Your biggest issue is with the timing of the repairs. That is, you admit you violated 1323.04 and 1323.05 as set out by Shawn.

MR. SWACKHAMER: Absolutely.

MR. LACKEY: And Shawn gave you the proper notification. There are no issues. You had plenty of time to ask for a hearing.

MR. SWACKHAMER: And in fact, I don't have any intention of going to Planning and Zoning Appeals.

MR. LACKEY: So, really, your only issue is with the timing of the repairs.

MR. SWACKHAMER: Pretty much. As I said, I wouldn't be standing before you here today if the porch wouldn't have pulled away. I have no control over the lumber, I have no control over what, in fact, the roof was held together, they just had shims in between the mortar joints with a nail driven in it as being built in 1910, the wood dries up, have a lot of trains, the vibration shifting, that kind of thing. The garage roof, I would have had that done, much to my dismay, I have \$150 worth of plywood I threw out and started all over again. Um. We had that same problem on a project we did with our Cambridge Facility, delamination of wood. These kinds of things I cannot control. I try very hard to protect things and put them in such fashion that it meets the guidelines, that it meets the intent of what the old village is about. I'm very optimistic these things once they are done will be very attractive, very eye appealing to everyone. It's not my intent to on purposely violate things. However, this is the point we are at.

MAYOR SCHULTZ: Is there any more questions for Mr. Swackhamer at this point?

MR. KLEIN: Um, yes. Um, what is the planned function of the chicken coop?

MR. SWACKHAMER: It's basically, my grandfather turned it into a woodworking shop years ago.

MR. KLEIN: And is that your planned function?

MR. SWACKHAMER: The planned function for that is it will house my office and it also houses the lawn equipment and storage.

MR. KLEIN: And what is the planned function of the barn?

MR. SWACKHAMER: Uh, I will probably be coming back to the Historic District Commission in the future. We have an alley that currently runs behind the barn which is grass covered. The village has never abandoned that alley. My intent is to turn the barn into a two-car garage and allow to have one of the bed and breakfast rooms over the garage area and then dismantle the garage and save the historic block for another structure in the future.

MR. KLEIN: What is the structure behind the barn?

MR. SWACKHAMER: Beside the barn?

MR. KLEIN: Pardon me?

MR. SWACKHAMER: Beside the barn?

MR. KLEIN: Yeah, I can't tell from the pictures.

MR. SWACKHAMER: Where the roof is caved in?

MR. KLEIN: This white structure...

MR. SWACKHAMER: Yes, that is something I'll also be asking to be demo'd. That is Ye Olde Outhouse. It is an original of the property. That is about the third one that my grandfather actually used and built.

(tape changed)

MAYOR SCHULTZ: ...to the historic district?

MR. SWACKHAMER: Yes, to allow me to demo the outhouse.

MR. KLEIN: That, those are my questions.

MAYOR SCHULTZ: Um, Jim.

MR. SETA: Yes, um. Mr. Swackhamer, you've used the historic district as a lot of discussion throughout that you're leading this, has anything, have you gone forward at all to the historic district on any of these issues to get this thing resolved?

MR. SWACKHAMER: The only thing I have to go through them for is I will have to ask them about the windows for the accessory buildings, the chicken coop and the barn.

- MR. SETA: And when do you plan on doing that?
- MR. SWACKHAMER: Uh, that will probably be sometime yet this year. If you look at my scheduled plan for installation of that, it will be well prior to that.
- MR. SETA: What I'm trying. This is an issue that's one of the whole reasons of why I'm up here. (unintelligible) I'm emphatic about making Powell, and you are too, the people who live here, the best place we can make it. And I think the City, we're, everyone is trying to make this work as best we can and we do it for a number of other residents. We're trying to help you, here, and I want you to understand my tone. (unintelligible). We've got to find a way to help you get where you gotta go to make this a safe residence. I'm very concerned about that porch. The structural integrity of that porch. That worries me. It worries me for you and not just the aesthetics of it.
- MR. SWACKHAMER: I had an engineer out there, so I have the same concerns you do. As far as Shawn tells me, Council has to approve this schedule. I would visit the HDC for their approval to meet that schedule because I also want to change the color of the house and that is something have to go before them as well.
- MR. SETA: I mean, that's, in my mind, what I'd like to know is when are you going to go to the HDC on all these issues. When I know that you're going to go and talk about the color, I mean, in my mind, I'd like to see that happen right away. That you go to them, get these issues addressed, get the approvals from them, and start making your priorities and banging them out. But I think if we just...I don't see an end of the tunnel. I see you threw a bunch of dates out there, but I see a lot of what ifs and ors that I just don't see it really coming together.
- MAYOR SCHULTZ: Why don't we ask our questions if we have any for clarification of that, we'll have a chance. Is there any other questions? Because I know there are other people that want to speak on this also. Yeah, George.
- MR. KAITSA: Yes, just, Garry, you mentioned that you lost \$6,000; I was kind of unclear on.
- MR. SWACKHAMER: Yeah, that's what I have in materials, and most of its labor for the porch, the porch deck.
- MR. KAITSA: Why, I guess, from what, just again, so I understand, the notice from Shawn on the porch is the fact that you've got temporary supports there, and I need to understand why can't those supports be permanent.
- MR. SWACKHAMER: Okay. The pillars that normally support the porch are three. If the porch roof is pulling away from the house, the three pillars put back in the position they are would stop a download, but they won't stop a load to be shifted forward.
- MAYOR SCHULTZ: They hold it up against the house.
- MR. SWACKHAMER: Right. The way the temporary posts are currently situated at the angle they are, they not only hold up the porch but they hold it back against the roof.
- ED MITCHELL: How long they been up there.
- MAYOR SCHULTZ: Just, excuse me, we'll get to you.
- ED MITCHELL: Okay.
- MR. KAITSA: All right, well then, I would kind of echo the...so actually they're there to essentially push back against the house. I guess I would echo Mr. Seta's concerns, there. You know, the kind, of safety standpoint. And is it your intent to bring all of these out buildings back to the level that, I guess, back to their original appearance?
- MR. SWACKHAMER: Yes. Yes. If you come down Scioto street, everyone wants to make this the best city that it can be. You'll see that a few of us are doing it, and others are not. And and and the reason is because some people are on a fixed income and they have to decide, you know, what's their priorities. And my grandparents was in the same position. So, as I say, um, I'm not about to go out and get a loan to please anyone to do these things and bring people right away. I can't do that, I won't do that. Um, people talk about time, they need to have to have done that work themselves to realize, you know, what you get into. They need to walk in your shoes for awhile. The situation that we're in is things that was okay when we were a small village before we allowed all of you to annex it was fine. Now they're not fine. They're illegal, they're in violations. So, I think we've been pretty good sports about trying to comply with these kinds of things, but as I say, I can't emphasize

enough I don't have control over some of the instances of weather. I don't have control over materials that fail. I don't have control over what I have to abandon that I'm working on and go onto something else because something is more priority. I've given you a schedule to my best knowledge I can without being unreasonable I think. I don't have a crystal ball.

- MR. KAITSA: Well, I know, but you did...
- MAYOR SCHULTZ: So, you asked your question and you got an answer George?
- MR. KAITSA: Right.
- MAYOR SCHULTZ: Let me ask you a couple of quick questions.
- MR. SWACKHAMER: Sure.
- MAYOR SCHULTZ: Garry, I think we've heard, and it's getting late, so I'm going to try to keep things moving here. Why are you not painting the house rather than just using a transparent sealer. Why don't you...
- MR. SWACKHAMER: Okay, my intent is because I'm 53 and I know there's a point in time that you don't want to climb up a ladder for reasons or other. The finish I'll be putting on the house will not be a paint it will be a stain because simply because I don't want to have to do the effort of chipping, you know, paint in the future. Yes, I'll have to stain every 5 or 6 years, but, if I put paint over the areas that are currently that way, which are very few, then I don't have to take it off to stain.
- MAYOR SCHULTZ: You could put a solid stain, a white stain, or something so it would actually cover...
- MR. SWACKHAMER: Yes, yes, well, yeah, that's true, I could.
- MAYOR SCHULTZ: Which, is only your house this block, or is this block actually on some of the other buildings.
- MR. SWACKHAMER: The house, there's only two houses in Powell that are completely constructed out of that stuff. Mine and the one on...
- MAYOR SCHULTZ: But the other buildings are something else?
- MR. SWACKHAMER: The garage is an odd cast block. The other buildings are wood frame.
- MAYOR SCHULTZ: Okay, what I'd like to do now is open this up for other citizen comment. I believe we had at least one gentleman who has sworn in that would like to make a statement. Is that good Ken?
- KEN MOLNAR: Yes.
- MAYOR SCHULTZ: Okay, Garry, I think there will probably be some other comments here later on.
- MR. SWACKHAMER: Oh, you want me to stay up here?
- MAYOR SCHULTZ: No, I'd say maybe sit down and let this gentlemen come up and...
- MR. LACKEY: And you can have your block.
- MAYOR SCHULTZ: And state, yes. Can you please come up to the podium and give us your name and address for the record? And again, I'd say it's late, so if you could move things along.
- ED MITCHELL: My name is Edward Mitchell, my address is 77 Scioto Street. And I have to live directly across from that. And it, and if I put a sign outside of my house "a free home" nobody would accept it because every time you look out the front door, I gotta look at those posts over there. They're not posts. The posts should have been put back up there when the porch was done. And I, you know, it's ridiculous. And telling these people about his priorities and stuff, you know I'd like to know why a man would roll all that there property and then go with an aerator, then he would go fertilize it, and I think its been mowed once or twice maybe this year. And you know, it looks to me like it's a waste of money to be out there working in the yard and letting the house fall down.
- MR. LACKEY: How long have you been...
- ED MITCHELL: I've been here since 1964.
- MR. LACKEY: How long has the house been in that condition?

- ED MITCHELL: That's what I asked him the question a while ago on the post was, how long the temporary post has been up there.
- MR. LACKEY: Well, I'm asking you, do you know? You've been there a long time.
- ED MITCHELL: Well, yeah. I know it's been there at least five years, propped up like that.
- MAYOR SCHULTZ: The temporary posts.
- ED MITCHELL: Right. And the reason it started pulling off the house was that two of them are on concrete and one is on the ground. And anybody knows that frost is gonna raise them posts and then when it goes back down, then its going to start going the other way. And you know, I don't think sitting back and waiting for 2-3 more years on this stuff to be taken care of. And there are unlicensed cars. There are two of them sitting there. And there's no excuse for that. It's getting ridiculous.
- MAYOR SCHULTZ: How about the other pieces of property? The outbuildings and stuff. Give us some of your background, since you were there from '64. What's the condition been on the other?
- ED MITCHELL: When his grandfather was living, those places were kept up. I've seen him get down on his knees and pull weeds on the sidewalks and stuff. But it's in, it's in bad shape now. And you know what that, how would you like to live across, directly across the street, and have to look at something like that 7 days a week? Every time you walk out your door? And I think its time that somebody, you ought to, let these people go ahead and put the pressure on him. That's what he needs. You know, what's my home worth living across the street? What's it doing to my property value. How long would that last out here in one of these new subdivisions? So, you know, I'm tired of it, and I think you should be done, (unintelligible)
- MAYOR SCHULTZ: Thank you. Is there anyone else from the public that has other things to say? Okay, um, where are we, Ken?
- KEN MOLNAR: Uh, Garry, do you have any questions of Mr. Mitchell, based on his comments.
- MR. SWACKHAMER: No, I, uh, it's a shame that Mr. Mitchell can take an oath and then tell things that aren't true.
- MR. LACKEY: Can you come up to the podium? I'm sorry.
- MR. SWACKHAMER: Yes, I can. I have neighbors that'll tell you that I mow on a basis. It takes me a day and a half.
- MR. LACKEY: Mr. Swackhamer, that's irrelevant, we're not even here...
- MR. SWACKHAMER: Well, I'm saying. I'm just saying. I'm saying I don't know how somebody can take an oath and then lie. The only reason he is here is because he thought I reported him to the police a few months ago. That's the only reason he's here. And I find that very repulsive.
- MAYOR SCHULTZ: Can you comment on the posts? I think he said they've been up 5 years.
- MR. SWACKHAMER: As I said, those posts have been up for awhile. They were been up since my grandmother was alive.
- MR. KAITSA: I mean, do you agree with the 5 years, or not?
- MR. SWACKHAMER: It's very possible, but as I say, I was told not to do anything to the house until I owned it.
- MR. KLEIN: And you owned it for...
- Mr. SWACKHAMER: About three years. Yes. But at the same token, I can't do anything with the posts because I had to come up with some sort of solution to put the roof back up against the house. See, none of these people around me live in a house like that, so its easy to say we should do this, you know, that kind of thing. Which irritates me.
- MAYOR SCHULTZ: Do you have anything else regarding what Mr. Mitchell said, additional to say?
- MR. SWACKHAMER: As I told you, when my grandfather was alive, he kept the yard nice. But at the same token, he didn't own the house. My grandmother did. It was her second marriage. The house actually belonged when my grandmother was living there to my mother and my aunt. So he didn't put a lot of money into the buildings. Uh, I think the last time the house was painted I splurged for the paint

and had it painted and that was probably in the early seventies. Uh, as far as any type of roofing done in the last roofing that was done when he was alive, that was on the main house in 1962. I just currently replaced that with a new roof. Along with replacing the roof on the closed back porch. Um. I've had a lot of people tell me that I keep my place very neat. I'm surprised that some people have other views. Uh, I must keep the tarps on until I can get to the work to protect what I have done, or protect deterioration from that standpoint. So, I've given you my schedule. I think it's not excessive, I think it's reasonable. I can tell you that if I can meet that schedule, I certainly will. The main part of my work, the hard part, once the garage is done and the front porch is done, then the other things are basically a walk in the park simply because the other structures are made out of wood, a lot easier to work with.

MAYOR SCHULTZ: Okay, Ken, where we go next?

KEN MOLNAR: We've got someone else. Do you have anyone else you wish to call on your behalf Mr. Swackhamer?

MR. SWACKHAMER: No I don't, at this time.

MR. KAITSA: Did you have a comment?

MAYOR SCHULTZ: We would need that person to be sworn in. Do you want to make testimony?

JULIE CANTRELL: Just a comment.

MR. KAITSA: Well, you have to be sworn in.

KEN MOLNAR: Just come on up to the microphone. Garry, you can have a seat. Sorry, didn't realize you were on crutches. We would have brought the microphone to you. Can you raise your right hand? Do you swear and affirm the testimony you are about to give is the whole truth and nothing but the truth so help you God?

JULIE CANTRELL: I do.

KEN MOLNAR: Would you please state your name and address?

JULIE CANTRELL: Julie Cantrell, 98 Scioto Street. I've been a resident for 7 years as of April 15. I can testify that what Mr. Mitchell said about the post. They have been up there for 5 years. I live on the right hand side of them. I have a picnic in my backyard all you see blue tarps, tall grass, cars, we have company. It's embarrassing. I mean, we don't make a lot of money either, but we've put new siding on our house, we keep our house up. I just don't think it's right. He starts projects. Quits. Tears something else up. He's done with that, goes and tears something else up. It's just constant. Back and forth, back and forth. And I know the roof's been going on for two years because there's been 2 and 3 tarps on it. And I don't think with him having a timeline, I don't think it's going to be done. Because I've seen in 7 years what's been done, and there's been nothing. A back porch completed. A roof on a back porch completed, and that's it. And I don't think it's fair to the neighborhood to have to sit and constantly look at it. That's all I've gotta say.

MAYOR SCHULTZ: Thank you. We need to give Garry an opportunity to comment on that.

MR. SWACKHAMER: I don't know what they're talking about the grass. I have kept the grass....

KEN MOLNAR: Garry, would you come back up to the mike, please?

MR. SWACKHAMER: Oh, I'm sorry about that.

MAYOR SCHULTZ: And, we don't. We're not worried about the grass, so....the topic today is the property. Anything regarding what she said.

MR. SWACKHAMER: As I said, as the timeline that David talked about on the roof, when I got the building permit is correct. But no one seems to understand that has a new house and doesn't live in an old house that sometimes you have to put on some projects to go to another. As I say, I'm not going to let the rain come in on the main house. I take care of my mother who's 77 years old and has Hodgkin's disease. And I have to maintain a, uh, I'm sorry, not Hodgkin's, Parkinson's. I have to keep a house up in order for her and myself. Uh, when I discovered a leak in the back porch, I had that fixed. I'm just a little tired for not getting credit for the things that is done. You talk about, you know, you talk about you don't want deterioration. Well certainly you don't want deterioration on your main house. I put out three thousand dollars out of my pocket this year to have the main

house which nobody seems to care about. I got the leak on the back porch which nobody seems to care about. I spent a thousand dollars removing a large branch out of a 100 year old maple tree to try to save it. So it wouldn't fall on other people's properties or automobiles. Um, I go out of my way to try to keep the yard looking good. I've rolled it, I've aerated it, I've fertilized it. As I say, I don't try to mow too early, and when I do mow, I mow what's closest to my neighbors first. When my leaves drop trees, I pick up those things even if they're on my neighbors' yard that doesn't have trees, I usually pick those up because they are mine. I try to go out of my way to help my neighbors but you must understand I live on a street where there is a lot of animosity and there has been for a number of years. All you'd have to do is check with the other mayors and the police and the sheriff's department up in Delaware, because we have some people who pretty much live in glass houses but still like to throw stones. So that's some of the things you're hearing tonight. And as I told you, I gave you, I've given you a schedule. I think it is a schedule that is accurate. I'm not out for a vendetta here, I am out to try to get this done the best way that I can and the fastest way I can and provide a good home for myself and my mother and have something that I can pass on later on to other family members. Um, the uh, as I say, the garage and the front porch, so someone won't have to look at my posts, will be done this year. I can't say that I can put the original posts back on once the thing is done, I might have to put the old ones back on. But I go out of my way to be compromising and still do what the letter of the law requires from me.

MAYOR SCHULTZ: Okay, thank you Garry. Okay, any other comments? Done?

KEN MOLNAR: That should conclude the hearing.

MAYOR SCHULTZ: Okay, this concludes the hearing. So now we get comment from Council.

KEN MOLNAR: Yes, you have under the code, you have the right to affirm the zoning inspector's decision, modify it, revoke it. If you don't want to do it tonight, you have 10 days to do it. And you might, and Mr. Swackhamer, I'll ask you, ten days probably falls before the next Council meeting. And given the late hour, and I don't know what council is going to do, they have 10 days under the code, do you want to agree that they can make a decision at the next Council meeting? That will give the at least the opportunity to go ahead and consider it if they choose. If you want to agree to that, fine. If not, they've got 10 days.

MAYOR SCHULTZ: The next Council meeting would be in two weeks, is that right?

MR. LUTZ: August sixth.

MAYOR SCHULTZ: 14 days? I don't even know if that's what we want to do, but is that acceptable to you, Mr. Swackhamer.

MR. SWACKHAMER: I'm amenable.

MAYOR SCHULTZ: Okay, I'll turn it over to Council, then, and hear what everyone has to say. Mark, do you want to start?

MR. KLEIN: Um, I lived in an old house. Did a lot of work on it. Long list of things. Put a roof on the garage, had to replace the bathroom. Didn't know how to do any of those things. And, uh, so I understand that this work is difficult and it takes a long time and it takes resources. But I'm concerned by what I'm seeing here tonight in that it looks like the property...it looks like it is deteriorating faster than you can get it done. At least that's...I don't know if that's an accurate representation, but that is the appearance that I have here. I see multiple things that need to be corrected and long timelines to correct all of them. I'm concerned about that. I don't know how we correct that. And my concern is that if we grant the extensions and the timelines that we're looking at that we'll just be back here again at the end of those timelines discussing more timelines because the documentation that I'm looking at indicates that there is a lot of work here to be done. And, uh, and, uh it seems like the frustration that we're hearing from some of the residents is the length of time and the lack of progress. So, I'm very concerned about that. I would feel differently if I could see some progress. But based on that, I'm very concerned about what I see tonight. I know we've indicated we have some time on this, but, but based on what I'm seeing tonight, I would be supportive of affirming the order. That's all I have.

MR. KAITSA: Garry, I'd like to recognize your contributions to Council. I believe you served on Council as well as on Planning and Zoning. Um, however, I'm also swayed by the fact that we have to apply our ordinances in a uniform manner. I know we've had other situations in the City (unintelligible)...we've followed the procedure, and I think we need to follow that same procedure with respect to your situation, so I'm, I would be in a position to affirm affirm notice.

- MAYOR SCHULTZ: Um, I would also like to recognize Garry on many contributions to the community. I think we've had the opportunity to serve on at least Planning and Zoning together. I don't think anybody enjoyed this evening. I think you have neighbors obviously who feel emotional about this and living in a neighborhood myself, it's kind of tough because you've got people who have different opinions and it does get frustrating when you're working on your property and other people want to see it happen faster. I, like Mark, have done some of my own projects and I understand where you're coming from. Things don't go according to plan. There are no good job letters that go out of the City. Or very rarely do we send messages to people thanking them for what a great job they did. Unfortunately, as you know, that isn't what we hear in the Board of Zoning Appeals, and stuff, that's not the kinds of things we do. Having done projects, I think the way out of this is to try to come up with a schedule, but I am concerned, Garry, because I think you do have to match the priorities of the community. I agree we need to keep the roof up, but I think we need to accelerate and move on some of the priorities that effect your neighbors, maybe even ahead of what might be on the inside of the building. You said looks are of low priority to you, but unfortunately, that's not why we are here tonight. If looks didn't matter, we wouldn't have the code that we followed on the Zoning Commission. Um, I think there's things you could do. I think a stain, you know, a solid color stain. I think there are things that if you really set your mind to it, you could really do with a roof that you could try to bring this property maybe not into perfect compliance, but quickly try to make amends. I think a bright blue tarp on some of the roof, I think we're just aggravating the situation. And like Mark, it does seem like its maybe not ever going to catch up. I'm concerned, maybe because of your honesty, you're saying, well, this is sort of my schedule, but maybe I won't stick to it. And I know you're being honest, but unfortunately, we can't say "try to make it in the next couple of years" that's not something that we can do. So I'm inclined that we get Staff to look at this. I don't think 2 years cuts it. I don't think 2 years is going to work. I think we've got to focus on the safety and see what we can do very quickly as in before the snow falls in terms of some of these major aesthetics. I don't want to fool myself or fool anyone here, we're not going to see this thing change tomorrow or next week. And I think we are going to have to work with you. But you, I think, are going to have to change radically your approach. I think its going to have to be accelerated, because none of us want to be here talking about this again in a year. Two years. I think we could sit here and try to pick through which of these are the highest priority, but I'm not sure maybe that's not better left to Staff and maybe we can give some general guidelines. But yeah, I don't see any way that we can just accept the schedule that you've given us. I think we've gotta do more, and we've gotta do it quickly. And we do need to try to comply with the code.
- MR. LACKEY: As a person with the experience you've had with the City, you are routinely aware of the requirements when you bought the house three years ago. It's suffered, obviously, years of neglect. Looking at it now, it looks like its been decades of neglect perhaps. You see a jewel in the rough, your neighbors see a dump, unfortunately. And that's just the honest truth. Maybe it's the 11:30 P.M. truth. I'm not satisfied with the tenuous nature of the schedule. I would agree to affirm the violation.
- MR. SETA: I'm in agreement, too. That's enough said. Everyone has said what I've been sitting here thinking.
- MAYOR SCHULTZ: Yes?
- MR. LEININGER: There's been some discussion about affirming the notice. The order in the notice was to issue a timeline to Staff for approval. That timeline has been issued, and now the issue is in the code is that we can give a period of a minimum of 45 days to a maximum of 135 days in order for the violations to be corrected, and we need to pick a time somewhere in that.
- MR. KLEIN: Are you asking us to assist you with that?
- MR. LEININGER: Yes.
- MR. KAITSA: I guess I would throw it back to you and say I would like you to meet with Mr. Swackhamer and come back with a schedule.
- MR. LACKEY: Then we're gonna...oh. He agreed to 14 days, so we can discuss this at the next meeting.
- MAYOR SCHULTZ: And I think, as Mr. Seta mentioned, we need to see more definition here. If they need to go to the Historic Commission, when they intend to do that. I think that the deadlines need to be shorter, obviously, and I'd like to see priority put on some of the most obvious aesthetic issues.
- MR. KAITSA: Well, particularly those things (unintelligible).

KEN MOLNAR: So, for the purposes of the record, then, given the fact that we are waiting for a recommendation from our Staff, I would suggest that we simply continue this public hearing until the next Council meeting, is that acceptable to you, Mr. Swackhamer. (Mr. Swackhamer nods)

MR. KAITSA: At which time we will be presented with a schedule...

KEN MOLNAR: Until there's an opportunity, then Mr. Swackhamer will have an opportunity to inquire of Staff the recommendation and staff can issue the order at the next meeting.

MR. LACKEY: Do we need a motion?

MR. KLEIN: Motion to continue until the next session.

MR. KAITSA: Second.

MS. NAUMAN Mark Klein  
MR. KLEIN: Yes  
MS. NAUMAN: Dave Lackey  
MR. LACKEY: Oh yes  
MS. NAUMAN: Art Schultz  
MAYOR SCHULTZ: Yes  
MS. NAUMAN: Jim Seta  
MR. SETA: Yes  
MS. NAUMAN: George Kaitsa  
MR. KAITSA: Yes

