

**Minutes
City of Roseville
Hearing Panel for
Compliance Order
January 21, 2016
9:00 a.m.
City Council Chambers
311 Vernon Street**

1) Designation of Chair

Leilani Fratis was randomly selected by the City Attorney's office to serve as Chairperson for the January 21, 2016 Compliance Order Hearing Panel.

2) Call to order

Chairperson Leilani Fratis called the meeting to order at 9:00 a.m. in the City Hall Council Chambers.

3) Roll Call

The following Hearing Panel members were present:

Leilani Fratis
Don Lounsbury
Dan Myers

The following Staff members were present:

Joseph Speaker	Deputy City Attorney
Gretchen Hakala	Paralegal
Pamela Sisk	Legal Clerk

4) Public Comment – No public comment was offered.

Chairperson Leilani confirmed her selection as Chairperson, administered the Oath, reviewed the agenda, and the procedures for the Compliance Order Hearing.

5) Compliance Order

Issued to Michael and Jodi Burgess for violation of Roseville Municipal Code section 16.35.110(13), dangerous structure, and Roseville Municipal Code section 10.54.020(A)(2), construction abandoned.

1. Staff report:

Code Enforcement Inspector Tom O'Connell presented his staff report, exhibits, and answered panel questions.

Exhibit A:

- Overview of case history and summary of timeline
- Two photographs of 107 Bonny Knoll
- Memorandum to Hearing Panel from Tom O'Connell dated 01/21/2016
- Copy of Correction Notice dated 02/21/2014
- Copy of Code Enforcement Notice dated 05/05/2014
- Copy of Administrative Citation Warning dated 05/19/2014
- Copy of Citation No. 16470 dated 06/10/2014
- Copy of Notice and Order dated 07/01/2014
- Copy of Compliance Order dated 07/24/2015

2. Responsible Party's response:
Michael Burgess offered testimony and answered panel questions.

3. Rebuttal testimony:
Building Inspector Tom O'Connell offered rebuttal testimony and answered panel questions.

Michael Burgess offered rebuttal testimony and answered panel questions.

4. Panel discussion/decision:
Tom O'Connell was recalled by the panel, and offered testimony and answered panel questions.

Motion by Don Lounsbury, and seconded by Dan Myers that the violation of Roseville Municipal Code section 16.35.110(13) did occur and that Michael and Jodi Burgess were the responsible parties based on Tom O'Connell's report and testimony, which was uncontroverted by Michael Burgess.

Further discussion ensued at the request of Chairperson Fratis, and a vote on the motion was called upon.

AYES: Leilani Fratis, Don Lounsbury, Dan Myers

NOES: none

Administrative costs in the amount of \$730.65 are assessed to Michael and Jodi Burgess.

Order to Correct:

Motion by Don Lounsbury, and seconded by Dan Myers that the project be permitted and completed, as determined by City staff, no later than nine

months from the date of the Compliance Order Hearing, January 21, 2016. If the project is not completed and determined to be in compliance on October 21, 2016, administrative penalties of \$50 per day will be assessed, retroactive to the hearing date of January 21, 2016.

AYES: Leilani Fratis, Don Lounsbury, Dan Myers

NOES: none

5. Adjournment

Motion by Don Lounsbury, seconded by Dan Myers to adjourn the January 21, 2016 Compliance Order Hearing.

AYES: Leilani Fratis, Don Lounsbury, Dan Myers

NOES: none

Chairperson Fratis adjourned the meeting at 10:30 a.m.

Pamela Sisk
Legal Clerk