

**CITY OF MITCHELL
NUISANCE APPEAL BOARD MINUTES
MAY 26, 2020**

NOT APPROVED

The Nuisance Appeal Board was called to order at 12:45 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, South Dakota.

Members present: Schlimgen, Larson, Molumby, Jirsa

Staff Present: London, Code Enforcement Officer, and Justin Johnson, City Attorney

Election of Chairperson: Motion by Molumby, seconded by Schlimgen to elect by unanimous ballot Jay Larson as the chairperson. All members present voting aye.

Election of Vice-Chairman: Motion by Jirsa, seconded by Schlimgen to elect by unanimous ballot Doug Molumby Vice-Chairman. All members present voting aye, motion carried.

Agenda Approval: The proposed agenda was adopted as presented.

Appeal: The property owners of 39 S Harmon, Keigh and Glen Davis were available by speaker phone and their attorney Pat Kiner was present in person. London presented a summary of the complaint. The owners and their attorney responded to London's presentation. They indicated the overgrown vegetation and the dead trees have been removed. They also indicated their intentions are to improve the exterior appearance of the structure. The necessary material that is needed is located on the site. Motion by Jirsa, seconded by Schlimgen to uphold the Order to Correct. All members present voting aye, motion carried. Motion by Molumby, seconded by Jirsa that September 1, 2020 be the deadline for compliance of the directives. Roll Call Vote: Larson yes, Schlimgen yes, Jirsa yes, and Molumby yes. Motion passes 4 yes 0 no.

Appeal: The property owner of 721 N Duff Curtis Bullington and his attorney Pat Kiner were present. London presented a summary of the complaint. The owner and his attorney responded to London's presentation. The board suggest the city attorney and Mr. Kiner consider drafting documents that would involve the transfer of the real property that has undetermined ownership to the appropriate owners. Motion by Jirsa, seconded by Molumby to uphold the Order to Correct and direct Mr. Bullington to perform the corrective actions listed in the Order to Correct, no later than July 15, 2020. All members present voting aye, motion carried.

Public Input: none

Chairman Larson adjourned the meeting at 2:30 pm.
