

**City of Marine City**  
**Dangerous Building Board of Appeals**  
**Wednesday, February 7, 2024**

A regular meeting of the Dangerous Building Board of Appeals was held on Wednesday, February 7, 2024 at 260 S. Parker Street, Marine City, MI 48039 and was called to order at 6:01 pm by Chairperson Graham Allan.

**Present: Chairperson Graham Allan, Board Members Jacob Bryson, James Turner, John Paulun; Building Official Tracy Kallek; City Manager Scott Adkins; City Clerk Jason Bell**

**Approve Agenda**

Motion by Board Member Bryson, seconded by Board Member Paulun, to approve the Agenda. All Ayes. Motion Carried.

**Public Comment**

None.

**Approve Minutes**

Motion by Board Member Bryson, seconded by Board Member Turner, to approve the Minutes of the Dangerous Building Board of Appeals Meeting of October 4, 2023. All Ayes. Motion Carried.

**Public Hearing**

172 Bruce Street

Chairperson Allan gave notice that a Public Hearing to receive public comments regarding 172 Bruce Street was opened at 6:03 P.M.

Building Official Kallek spoke on the property at 172 Bruce Street and the history with the Dangerous Building Board and building issues that still exist. He stated a contractor was hired and no permit was pulled and he believed the second story ceiling has caved in due to recent rains and the building was in worse shape then when the process started. Building Official Kallek stated a timeline needed to be adhered to of: hiring a licensed contractor to complete building issues with proper permits or the City will be forced to board up or demolish the property.

Attorney Michael Loomis spoke on behalf of his client, Ms. Kinnie the owner of 172 Bruce Street. He stated the house was professionally painted in 2022 and he was asking the Board to graciously extend the time to make the necessary repairs to July 4<sup>th</sup>. He also stated his client ran into issues with a contractor that was hired and skipped out on the work. He stated the building was secure and tarped and his client was expecting a good tax return to complete the house and is

willing to do so. Mr. Loomis stated his client has received a quote from Tyler Exteriors to complete the roof project and that she had to file a police report in August regarding the previous contractor. Ms. Kinnie stated she never had raccoons in the home.

Chairperson Allan closed the Public Hearing at 6:11 p.m.

#### 110 Broadway Street

Chairperson Allan gave notice that a Public Hearing to receive public comments regarding 110 Broadway Street was opened at 6:12 P.M.

There were no comments during the public hearing and the property owner or representative was not present. Chairperson Allan called three times for comment and heard none.

Chairperson Allan closed the Public Hearing at 6:13 p.m.

#### **Unfinished Business**

##### 521 Washington

Building Official Kallek stated the house was for sale and City Manager Adkins stated there was a pending sale on the home as of February 7, 2024. Chairperson Allan stated there was power on in the home and it appeared people were there working this evening prior to the meeting and requested to leave the property on for April's meeting.

##### 172 Bruce Street

Board Member Paulun inquired if there has never been a permit pulled on the property and Building Official Kallek stated there has not been. Mr. Loomis stated the contractor showed the owner a permit or something that appeared to be a permit. Chairperson Allan inquire on how much of the roof is still usable and Building Official Kallek stated all of it was usable still. City Manager Adkins inquired if Building Official Kallek could inspect the work already completed and Building Official Kallek stated he could inspect random spots for compliance with building code.

City Manager Adkins spoke on the letter sent to Ms. Kinnie and Mr. Loomis in October 2023 requesting to receive a work plan within 30 days and stated that plan or any other communication was not received. City Manager Adkins requested something in writing from the property owner with a completion plan and timeline. Mr. Loomis stated his client hoped to complete the work by July to give enough time to finish. City Manager Adkins stated if there was a pricing issue with quotes received for Ms. Kinnie to reach out to Blue Water Community Action for possible assistance and City Manager Adkins provided Ms. Kinnie and Mr. Loomis with that contact information.

Board Member Bryson inquired what was a reasonable date for Ms. Kinnie to come to the Building Official with an action plan and suggested May 1<sup>st</sup> and that was to include hiring a contractor, proper permits pulled and a completion date.

Motion by Board Member Bryson, seconded by Board Member Paulun, to extend the property to the July meeting providing Ms. Kinnie and Attorney Loomis can supply an action plan to the Building Official by May 1, 2024. All Ayes. Motion Carried.

### **New Business**

#### 110 Broadway Street

Building Official Kallek spoke on 110 Broadway Street and the property owners desire to use the property in a non conforming use. He stated himself and the Fire Chief were able to inspect the building and it is in disrepair with no cement floor, exposed joists, bare studs and no drywall or insulation. He also stated the Fire Chief stated the building was a fire hazard and requested at least one smoke detector be installed in the building to provide a quick response. Building Official Kallek stated this building would require a structural engineering report.

Chairperson Allan inquired if the property owner was motivated to make the necessary repairs and Building Official Kallek did not believe he was. Board Member Paulun inquired if the building was inspected and Building Official Kallek stated it was and it is unsafe in its current condition. City Manager Adkins stated this building poses a significant hazard to the surrounding buildings and the City.

Chairperson Allan inquired if a motion would be needed to condemn the property and then demolish. Building Official Kallek stated the proper procedure according to the International Property Maintenance Code would be for him to condemn the building, then board up, then demolish if necessary repairs are not made. Building Official Kallek stated he would condemn the property regardless of a Board decision as he has the authority to do so as the Building Official. Board Member Turner inquired if the building is condemned could the owner sell it. Building Official Kallek stated the property cannot be transferred with a code violation.

Motion by Chairperson Allan, seconded by Board Member Bryson, to follow up with forceful legal action due to present danger of the building as is, the City and Board feels condemnation and proper legal proceedings are necessary unless a plan of action is provided to the Building Official. All Ayes. Motion Carried.

### **Adjournment**

Motion by Board Member Turner, seconded by Board Member Bryson, to adjourn at 6:48 pm. All Ayes. Motion Carried.

Respectfully submitted,

Jason A. Bell  
City Clerk

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