

- C-3. ORDINANCE ORDERING THE NEIGHBORHOOD SERVICES DEPARTMENT OF THE CITY OF WINSTON-SALEM TO REMOVE OR DEMOLISH STRUCTURE UNFIT FOR HUMAN HABITATION AND, OTHERWISE, TO EFFECTUATE THE PURPOSE OF CHAPTER 10, ARTICLE V OF THE WINSTON-SALEM CITY CODE: *[Repairs more than 65% of value of structure (>65)]*.
- a. Bakers House Inc. 3904 Bethania Station Road
(Apartments 1-25)
 - b. Bakers House Inc. 3902 Bethania Station Road
(Apartments 1-20)
- C-4. APPROVAL OF COMMUNITY DEVELOPMENT/HOUSING/GENERAL GOVERNMENT COMMITTEE SUMMARY OF MINUTES - *September 9, 2008*.
- C-1. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs less than 50% of value of structure (<50) six months]*.
- b. Louis & Shirley Werts 2506 Druid Hills Drive

Mr. Bruce Bailiff, Code Enforcement Program Supervisor, gave an overview of the property.

Mr. Barry Campbell, 2049 K Court Avenue, read a letter on behalf of his father and requested additional time to complete needed repairs. In response to Council Member Leight's question, he stated that he had just received the list of needed repairs recently and many of the items were already completed.

In response to Council Member Besse's question, Mr. Bailiff noted that the initial inspection of the property was conducted on October 21, 2004.

In response to Council Member Besse's inquiry, Mr. Campbell stated that the house has been boarded up since October 2006 but the property was maintained and no one was living there. He also stated that he had been living out of town but was residing within the City again and was committed to making final repairs, such as replacing the doorknob and broken window.

In response to Chair Malloy's question, Mr. Bailiff stated that the most recent inspection of the property was performed on May 2.

Mr. Campbell assured the Committee that the repairs would be completed as it is his intention to live in the house. Chair Malloy responded that the Committee is taking him at his word and on behalf of his father. He indicated the Committee's desire to accept staff's recommendation as a formality.

Council Member Besse made a motion to approve the item. The motion was duly seconded by

Council Member Leight and carried unanimously.

Chair Malloy noted that there will be another inspection fee assessed when staff reviews the property to ensure all repairs have been made.

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c. Debbie & Danny Settle 129 Churchland Drive

Mr. Bailiff gave an overview of the property.

Ms. Debbie Settle, 438 Michael Court, stated that her home was destroyed by fire in January and she has been living in a hotel or rental property since then. She also stated that she is a single parent and is still supporting her children while trying to make repairs on the home, and noted that she had no insurance at the time of the fire. She further stated that she is waiting on cost estimates and funding sources to complete the repairs. Ms. Settle noted that she has been as compliant as financially possible and has kept the grass cut as well as boarded up the house per the City's request.

Chair Malloy expressed concern that once the needed repairs are made, Ms. Settle could have bought a new house.

Ms. Settle stated that she does not want to lose the home as she raised her children there for the last 17 years. She also stated that she is still making mortgage payments but is having difficulty obtaining a response from her mortgage company. She further stated that not only was her home damaged, cars on the property were also vandalized and had to be removed. In response to Council Member Besse's question, she stated that the roof was almost completely gone, the upstairs area sustained fire damage and the rest of the house sustained mostly water damage.

In response to Council Member Johnson's inquiry, Ms. Settle noted that she was paying for insurance, and was told City Financial Mortgage had assumed the fire insurance policy, but then stated that she was informed she had no insurance. She noted her extreme frustration in not receiving consistent accurate information from the mortgage company.

Council Member Leight requested that City staff inquire to the mortgage company to obtain more detail and requested that further action be held until November, pending further information.

In response to Chair Malloy's request, Mr. Ritchie Brooks, Neighborhood Services Director, stated that staff would provide technical assistance to Ms. Settle, review the existing damages and provide a cost estimate to bring the home within Code compliance.

Council Member Besse requested that staff contact the State Attorney General as well as the Insurance Commissioner to obtain direction. He made a motion to hold the item in Community Development/Housing/General Government Committee (CD/H/GG) until December. The motion

was duly seconded by Council Member Leight and carried unanimously.

Council Member Johnson inquired if Rebuild America could assist in repairing the property, however, Mr. Brooks advised that this was beyond their capacity.

In response to Chair Malloy's question, Ms. Settle stated that she will apply for loans once repair estimates are received and do the best she can to repair the damages.

Council Member Johnson requested that Ms. Settle inform neighbors of her plans for repair and Ms. Settle stated that the neighbors seem uninterested in her intentions for repair, and have even offered to purchase the house from her.

In response to Chair Malloy's inquiry, Mr. Brooks noted that staff will move forward on the recommended demolition of the Bethania Station Apartments.

GENERAL AGENDA

G-1. ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF A STRUCTURE PURSUANT TO CHAPTER 10, ARTICLE V, SECTION 10-203(f)(1) OF THE CODE OF THE CITY OF WINSTON-SALEM: *[Repairs less than 50% of value of structure (<50) six months. This item was continued from the August meeting of the Community Development/Housing/General Government Committee.]*

- a. Virginia F. Williams, Heirs 520 E. 28th Street

Mr. Bailiff gave an overview of the property.

Council Member Terry in at 4:37 p.m.

Mr. Brooks noted that the previously interested citizen for this property was to have the property transferred into his name and make an attempt to locate heirs, but the citizen has made no attempt to contact City staff. In response to Council Member Leight's question, Mr. Brooks stated that staff was advised from the citizen's attorney that it was virtually impossible to locate heirs to the property and that the search would be stopped. He also stated that legally, staff is required to provide a demolition notice to property owners via regular mail, certified mail, a posting on the property and a legal advertisement in a generally circulated newspaper. He further stated that if a property is owned by someone residing outside the state of North Carolina, City Code requires that individual to have someone locally responsible for the property.

Mr. Bailiff noted that if there is not a current property owner listed, demolition notices are sent to whomever is indicated on the estate file, be it individuals or heirs.

In response to Council Member Johnson's question, Mr. Brooks stated that North Carolina has stronger legislation than most states and the four notification methods are ample enough.

Mr. Lee Garrity, City Manager, noted that Mrs. Angela I. Carmon, City Attorney, would provide further clarification if the CD/H/GG Committee wished.

Council Member Besse questioned why an attorney would stop the search for heirs to a property unless there was no will to designate an owner.

Mr. Chuck Green, Assistant City Attorney, stated that an heir to a property owns said property as a tenant in common, meaning that 100% ownership is not attributed to any one individual.

Council Member Leight requested that staff try to make contact with the heir and provide any updates to the CD/H/GG Committee.

Discussion ensued and Council Member Terry noted the timeline for the disheveled stated of this property and stated that if the heirs have not come forward and legal counsel has given up on the property, then the City is allowing this blighted property to remain.

Council Member Terry made a motion to approve the item. The motion was duly seconded by Council Member Leight and carried unanimously.

G-2. DISCUSSION OF ISSUES RELATED TO THE PROPOSED MANUFACTURED HOME TEXT AMENDMENT - UDO 190. *[A public hearing was held and this item was remanded to the Community Development/Housing/General Government Committee by the City Council on October 6, 2008.]*

Mr. Chris Murphy, Assistant Inspections Director, reviewed two issues regarding manufactured homes: bona fide farms and exemptions for such within the city limits of Winston-Salem and the legal status or condition of manufactured homes within some manufactured home parks. In response to Council Member Johnson's question regarding a manufactured home on Kernersville Road, Mr. Murphy noted that an inspector would only have to determine if the facility meets setup requirements as set forth by the Department of Insurance and the State Building Code. The condition of the facility itself would be mandated by Neighborhood Services.

Mr. Derwick Paige, Deputy City Manager, noted that Neighborhood Services would inspect the facility to meet the Minimum Housing Code.

In response to Council Member Johnson's question regarding density, Mr. Murphy noted that density is a Zoning issue, but farm tenant housing is subject to a special use permit and the County Zoning Board of Adjustment (ZBA) would conduct a public hearing before determining the approval of the permit. He also noted that use of manufactured homes for employee housing does not fall under the farm tenant provision of the ordinance.

Mr. Paige noted that in reference to density, the number of manufactured units on a lot would be regulated by Zoning, while the number of people within a unit would be regulated by Neighborhood Services.

In response to Council Member Terry's question, Mr. Murphy stated that to have more than one manufactured structure on a zoning lot, one would have to follow the special use permitting process to allow an accessory dwelling on the lot or it would have to be rezoned with specific use conditions dictating the size of the lot. He also stated that the proposed amendment will not change those conditions, rather it will make the rules easier to enforce and make it more difficult to allow Class C

manufactured homes. Class C manufactured homes are hard to distinguish from Class D manufactured homes and present a health and safety issue because they are manufactured under a lesser standard. He further stated that he will provide provision wording for the allowance of a guard house on a manufactured location.

In response to Council Member Johnson's question regarding Council Member Merschel's concern of a property, Mr. Garrity noted that the property located on Skylark and Transou Roads was reviewed by Council Member Merschel and she is now comfortable with it.

In response to Chair Malloy's inquiry regarding the Kavilla Mobile Home Park, Mr. Murphy stated that an amortization process could be developed to bring the property up to code or the City could negotiate a purchase program.

In response to Council Member Leight's question, Mr. Brooks stated that properties in violation are inspected frequently by use of an administrative warrant, and while it may be restored to Minimum Housing Code standards, it falls back to disrepair easily.

In response to Chair Malloy's inquiry, Mr. Brooks noted that if a tenant is home, the interior and exterior of a property are inspected and a warrant can be obtained if needed to gain entry to the property. He also noted that during Operation Impact, warrants are obtained for all units in one area and the interior and exterior condition of all the units are inspected.

Chair Malloy requested that Operation Impact be pursued at Kavilla Mobile Home Park.

Mr. Murphy noted that if the amendment is approved, many manufactured homes in the area will become non-conformant and have to be replaced. He also noted that there are 76 units within the city that will be non-conformant and 368 units within the County.

Council Member Johnson requested the addresses of these properties.

Mr. Murphy noted that staff will only be able to provide addresses for those properties where a permit was issued because prior to the development of a permitting system, there is no address record.

Council Member Johnson expressed concern that there may be confusion regarding if the ZBA or City Council is responsible for regulating these types of issues and suggested both parties meet to discuss the issues.

Mr. Murphy noted that the ZBA can only rule on what it is presented and if no opposition is heard, it will act on behalf of the property owner.

Council Member Johnson expressed concern that ZBA signage, while posted on a property, may not be visible to surrounding property owners.

Mr. Murphy noted that staff could make signs more visible by increasing the number of signs or type of sign, but that change would come at a cost that would be passed on the citizen by an increase in fees. He also noted that it is required only for the property itself to be posted.

Council Member Besse noted that the only issue addressed by the proposed amendment is the replacement of manufactured homes and made a motion for approval of the item. He also noted that other concerns regarding manufactured homes should be addressed separately. The motion was duly seconded by Council Member Terry and carried unanimously.

Council Member Terry suggested that Committee Members provide additional concerns regarding manufactured homes to staff.

Council Member Johnson suggested that similar amendments be addressed at the Committee level before being presented to the full Council.

G-3. ORDINANCE AMENDING CHAPTER 10, ARTICLE V OF THE CITY CODE ENTITLED "HOUSING CODE".

Mr. Brooks stated that the proposed ordinance will allow for the inspection of commercial buildings and will assess a penalty for non-compliance. Prior to adoption of the ordinance, a public hearing must be held. He also stated the proposed ordinance will operate similar to the Minimum Housing Code and will modify Article V by creating two divisions: one for Minimum Housing Code and one for non-residential buildings and structures. In response to Council Member Terry's question, Mr. Brooks stated that the proposed ordinance will address any unoccupied, partially completed structures that may have fallen through mid-way into construction.

In response to Council Member Besse's question, Mr. Brooks stated that community input will be received during the mandated public hearing.

Council Member Besse requested that prior to the public hearing, a meeting be held with interested parties from the community and local neighborhood associations to solicit input. He made a motion to defer the item to the December CD/H/GG Committee meeting provided input has been received from the community. The motion was duly seconded by Council Member Terry and carried unanimously.

Mr. Brooks noted that staff could solicit input from the Minimum Housing Code Review Committee.

G-4. SUMMARY OF 2007-2008 HUMAN RELATIONS COMMISSION ANNUAL REPORT.

Mrs. Wanda Allen-Abraha reviewed the summary as presented in the Agenda Book. She noted that the Human Relations staff was pleased with its annual audit from Housing and Urban Development (HUD) and was found to be in full compliance with its regulations. She also noted that the Human Relations Commission is now a part of the Atlanta region of HUD. In response to Chair Malloy's question, Mrs. Allen-Abraha stated that staff will conduct more media outreach to address the issue of housing discrimination and fair representation. She also stated that staff now has the authority to investigate housing discrimination complaints on properties owned by the Housing Authority of Winston-Salem (HAWS). She further stated that the Human Relations Commission has completed two HAWS investigations since July, and one landlord/tenant complaint. Mrs. Allen-Abraha noted that the Human Relations Commission has a tracking report by which it records the disposition of any complaints that were investigated. She also noted that the Human Relations Commission would

like to have the commercial referenced by Chair Malloy on other channels, as it demonstrates an individual inquiring about housing by using a different voice so as to appear from different ethnic backgrounds.

Council Member Besse requested that the Human Relations Commission develop an on-going series of educational events throughout the year, such as “Beyond Soul and Salsa.”

Mrs. Allen-Abraha noted that the Human Relations Commission does hold events outside Race Equality Week and hopes to host an event each quarter to address issues within the community.

Council Member Terry recommended that diversity of events should be considered so all ethnic groups feel represented and welcome.

Mrs. Allen-Abraha noted that the Soul to Salsa event was specifically designed to bring the African American and Hispanic populations together to dispel misconceptions within the community.

In response to Council Member Johnson’s question, Mr. Paige stated that HUD requested the Human Relations Commission to advertise more public service announcements to promote the program and noted that federal funding is available for that.

G-5. BRIEFING ON CONCLUSIONS OF THE FUTURE I-74/KERNERSVILLE ROAD INTERCHANGE STUDY TO BE INCLUDED WITHIN THE UPCOMING SOUTHEAST SUBURBAN AREA PLAN.

By consensus, the Committee will hear this item at the November CD/H/GG Committee meeting.

ADJOURNMENT: 5:45 p.m.