

March 3, 2020
Tipton City Council Nuisance Hearing

The hearing was called to order at 6:55 p.m. Answering roll call were Mayor Joe Lutz, Aldermen Randy Clifford, Bob Wolf, Don Basinger and Mike Kelley and Legal Counsel Cydney Mayfield. Code Enforcement Officer Bruce Crider and City Clerk Jennifer Schmidt were also present.

The hearing was to determine if a nuisance existed at 143 & 147 W Cooper St, owned by Michael Burns and the late Joyce Burns.

Schmidt swore in City Police Officer/Code Enforcement Officer Bruce Crider. Crider reported being employed as the code enforcement officer for 1.5 years and has observed and had prior conversations with Joyce Burns' prior to her death. Ordinance 19-08 was submitted as Exhibit A. The debris in the yard, unlicensed vehicles and items on the front porch have been ongoing for at least one year. Crider revisited and inspected the properties over a week ago. Crider stated the property violated Section 2 B Subsections 2 & 4. Notification was served by certified letter with return receipt. Mayfield submitted Exhibit B, the January 7, 2020 letter Crider sent to Burns'. Mayfield reviewed 8 pictures with the council taken by Crider on January 20, 2020. The pictures included an unlicensed white van, table, pallets, wood, chairs, fallen fencing, unlicensed truck and items on the front porches; they were submitted as Exhibit C. Crider was excused from testimony and there were no further witnesses.

Michael Burns asked the council what the council wanted him to do. Mayor Lutz stated the unlicensed vehicles needed to be removed from the property and debris needed cleaned up.

Basinger moved that nuisances exists at 143 & 147 W Cooper St. Seconded by Wolf. Roll call vote: Kelley, yes; Clifford, abstain; Wolf, yes; Basinger, yes.

Basinger moved that the nuisances at 143 & 147 W Cooper St be abated within 90 days of the March 2, 2020 hearing. Seconded by Wolf. Roll call vote: Kelley, yes; Basinger, yes; Wolf, yes; Clifford, yes.

Mayfield will prepare such order and the hearing for 143 & 147 W Cooper and the hearing closed at 7:07 p.m.

Jennifer Schmidt, City Clerk