



City of Broken Arrow
Minutes - Draft
Nuisance Abatement Public Hearing

Council Chambers
220 S 1st Street
Broken Arrow OK
74012

Hearing Officer Russell Gale

Thursday, December 6, 2018

12:00 PM

Council Chambers

1. Call To Order

Hearing Officer Russell Gale called the Nuisance Abatement Public Hearing to Order at 12:00 PM.

2. Approval of Previous Minutes

- A. [18-1327](#) **Approval of Nuisance Abatement Public Hearing Minutes of November 1, 2018**

The minutes are approved.

3. Nuisance Abatements for Consideration

- A. **18-1328 Consideration, discussion and possible declaration that 1129 North Hickory Place, Broken Arrow, OK 74012; Lot 2 Block 2, Vacation Center Second Addition, Tulsa County; as a dilapidated structure and a public nuisance and authorization to demolish the property; Violations: Title 11 O.S. § 22-111 and § 22-112; City Nuisance Code 15-1 C.15 and 15-4 and 15-1 D.10 a & b.**

Attorney Kirk J. Cejda appeared on behalf of Wells Fargo. He advised his client is in the process of taking care of the issues at the property. They have mowed and removed a big portion of the trash, junk and debris. There are two (2) bids out to restore the property, but there was substantial damage from the fire and other holes in the structure. He requested more time for this client to accept a proper bid, maybe one month for the bids to be processed.

Code Enforcement Officer, Valerie Holbrook had no objection to continue this case to the next public hearing. She will work with them to either demolish the structure or rehabilitate it. However, a decision needed to be made in a reasonable amount of time as the property is considered a public nuisance. She confirmed the structure is secured.

Hearing Officer Russel Gale tabled this case to be heard at the hearing on January 3, 2019. This will give Wells Fargo an opportunity to address the issues at this property.

4. Continued Business

- A. [18-1117](#) **Consideration, discussion and possible declaration that 214 East Commercial Street, Broken Arrow, Oklahoma 74012; Lots 19 & 20 Block 44 Broken Arrow-Original Town, Tulsa County; as a dilapidated structure and a public nuisance and authorization to demolish the property. Violations: Title 11 O.S. § 22-111 and § 22-112; City Nuisance Code 15-1 C.15 and 15-4 and 15-1 D.10 a & b.**

Chief Building Inspector, Joe Williford advised the property had been purchased by BA Restore. The property owner plans to demolish the house within the next 60-Days. He requested this case be dismissed and removed from the docket at this time. If the property owner fails to demolish the structure within 60-Days, then the case can be refiled.

Hearing Officer Russell Gale agreed and dismissed this issue as being resolved or refile the application if not demolished.

- B. [18-1118](#) **Consideration, discussion and possible declaration that 214 East Ft Worth Street, Broken Arrow, Oklahoma 74012; Lots 17 & 18 Block 58 Broken Arrow-Original Town, Tulsa County; as a dilapidated structure and a public nuisance and authorization to demolish the property. Violations: Title 11 O.S. § 22-111 and § 22-112; City Nuisance Code 15-1 C.15 and 15-4 and 15-1 D.10 a & b.**

Code Enforcement Officer, Gary Arnold confirmed that Mr. Kemp was not in attendance and advised Mr. Kemp had not communicated much with him since the last public hearing. He did speak with the real estate agent and she said they had several buyers and assured him they would have it sold by December's public hearing. He informed the real estate agent that either Mr. Kemp or the new owner needed to appear at this public hearing to advise their intentions of the property. Mr. Arnold had not heard from anyone as to whether it had been purchased, so he recommended the demolition move forward.

Hearing Officer Russel Gale advised he had driven by and noticed a real estate sign in front of the property. He wanted to know if this was the same real estate agent trying to sell the property.

Code Enforcement Officer, Gary Arnold said yes and stated he had also driven by there several times to see if there was a "sold" sign. He was willing to contact the real estate agent again, if necessary.

Hearing Officer Russell Gale advised it was not necessary to contact the real estate agent again as he had reviewed the minutes and Mr. Kemp indicated there would be a signed contract within the week and that was from the first meeting in November. Since, the City had not been informed the property was sold, he declared the property a public nuisance and authorized the demolition of the structure.

5. Appeals

NONE.

6. Adjournment

Administrative Clerk:_____

Dated:_____