

## **Council begins legal action against local homeowner**

Written by Elizabeth Barrett  
Thursday, 11 February 2010 17:08 -

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### **Resident said to have violated sign, building permit regulations.**

Legal action will begin against a Gothenburg homeowner who officials claim violated the city's sign and building permit regulations.

At their Feb. 2 meeting, local city council members directed city attorney Mike Bacon to do what is necessary to stop the violations at a 1514 Avenue A residence owned by Sandra Foster.

City building inspector Doug Swanson, who visited the residence, said someone in the home had put up a sign in the back yard that doesn't meet city code.

Swanson said he also discovered a shed in the back yard that had been built without a city building permit.

City officials sent a certified letter asking the homeowner to apply for permits but it wasn't picked up at the post office.

During the meeting, Bacon said the city could force compliance through court action to remove the shed and comply with fence regulations.

Council member Jim Aden asked how that would be done and Bacon said the sheriff's department would serve papers.

Swanson said he didn't know how long the shed had been there but city administrator Bruce Clymer said someone told him four to five months.

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“I’m 90% certain it was built after the fence,” Clymer said.

The building inspector said the owner had applied for a building permit to erect a fence in the front yard but not the back yard.

Lonnie Wilson, who said he’s also an owner of the property and married to Sandy Foster, said he didn’t receive any notice about the violations and that no one from the city had talked to him about them.

Swanson said Friday that when violations are discovered, he sometimes talks to property owners but sometimes they are just sent certified letters.

Wilson, who does contracting work, said he wasn’t specific about his fence plans because it’s a project he works on when he has time.

“I will deal with the permits,” Wilson said.

On another matter, the council approved payment of \$7,500 from a city downtown revitalization grant to Schlake Construction, Inc. for façade improvements to a building in the downtown district on Avenue F.

The total project cost \$23,875 with \$20,834 of the work and materials completed.

Clymer said the amount of money downtown property owners have spent on improvement projects—\$199,300 total including grant money—is amazing, noting that only \$40,699 of the \$240,000 grant was left.

“So far, I think it’s been successful,” he said.

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During open forum, Clymer told the council that Wade Viter Inc.—who dig s and closes graves at the city cemetery—is increasing costs because of higher operating costs.

Effective March 1, the digging and closing of graves will increase \$25 which means:

- Adults graves—\$350
- Baby graves—\$200
- Cremations—\$175

Holiday and Sunday grave closings cost an extra \$200.

In other business, the council:

- passed on final reading an ordinance which adopts general licensing provisions dealing with alcoholic beverages consistent with city code. It also includes the establishment of a \$100 fee for an alcohol catering license.
  - approved a resolution to sell excess copper and aluminum wire from the city electrical department. The bid date is Friday, Feb. 12.
  - gave the go-ahead to draw down \$5,796 of Community Development Block Grant funds for 2008 improvements on 22nd and 23rd sts. and \$30,203—from another CDBG grant—to pay for owner-occupied housing program costs.
  - voted to pass, on final reading, updated city codes, zoning and subdivision regulations.
- The council also decided to buy enough code booklets for city council members, which would also be used by planning and zoning commission members, and keep them in city council chambers. That information is also available online.

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