

Topics discussed

City regulations, Codes enforcement, Fines and penalties, Real estate (00:00:00 - 01:11:20)

The meeting addressed issues related to non-compliance with rules at the water park and variances in the city. Feedback was requested to create ordinances with consequences for compliance. Concerns were raised about enforcement, inspections, and the need for stronger regulations. The possibility of sharing a code enforcement officer with MRI D was suggested. The comprehensive planning committee's work was highlighted to address the issues. Challenges in handling private organizations like MRI D and honorary police were mentioned. The meeting also discussed reimbursement for work done for MRI D. Utilizing police officers on a contract basis for enforcement was suggested. Stricter enforcement of regulations and fines were advocated. Absentee landlords and rental properties were addressed with the recommendation for a rental licensing program. Property liens and eminent domain were briefly mentioned. Insurance coverage, shooting range opening, and future development plans were discussed. Regulation of Airbnb rentals and the need for a rental licensing program were mentioned. Limited resources and enforcement challenges were also discussed. The meeting emphasized the need for codes and regulations for parks and lakes. The importance of ordinances, state codes, and permits for dredging were emphasized. Dumping into the lake and enforcement were raised, as well as a licensing or inspection program. Feedback from MRI D and variance committees and community input were requested. Contractors' knowledge of rules and regulations was emphasized. The importance of providing new homeowners with information was discussed. Enforcement and a licensing program were mentioned, focusing on intentional rule-ignorers. The meeting concluded with gratitude, the suggestion for further discussions, and the next meeting date. A motion to adjourn was made.

The meeting discussed issues related to non-compliance at the water park and variances in the city. Feedback was requested to create ordinances with consequences for compliance. Concerns were raised about enforcement, inspections, and the need for stronger regulations. The possibility of sharing a code enforcement officer with MRI D was suggested. The comprehensive planning committee's work was highlighted to address the issues. Challenges in handling private organizations and honorary police were mentioned. The meeting also discussed reimbursement for work done for MRI D. Utilizing police officers on a contract basis for enforcement was suggested. Stricter enforcement of regulations and fines were advocated. Absentee landlords and rental properties were addressed with the recommendation for a rental licensing program. Property liens and eminent domain were briefly mentioned. Insurance coverage, shooting range opening, and future development plans were discussed. Regulation of Airbnb rentals and the need for a rental licensing program were mentioned. Limited resources and enforcement challenges were also discussed. The importance of ordinances, state codes, and permits for dredging were emphasized. Dumping into the lake and enforcement were raised, as well as a licensing or inspection program. Feedback from MRI D and variance committees and community input were requested. Contractors' knowledge of rules and regulations was emphasized. The importance of providing new homeowners with information was discussed. Enforcement and a licensing program were

mentioned, focusing on intentional rule-ignorers. The meeting concluded with gratitude, the suggestion for further discussions, and the next meeting date. A motion to adjourn was made.

City Regulations, Codes Enforcement, Fines And Penalties, Real Estate

The meeting addressed issues related to non-compliance with rules at the water park and variances in the city. Feedback was requested to create ordinances with consequences for compliance. Concerns were raised about enforcement, inspections, and the need for stronger regulations. The possibility of sharing a code enforcement officer with MRI D was suggested. The comprehensive planning committee's work was highlighted to address the issues. Challenges in handling private organizations like MRI D and honorary police were mentioned. The meeting also discussed reimbursement for work done for MRI D. Utilizing police officers on a contract basis for enforcement was suggested. Stricter enforcement of regulations and fines were advocated. Absentee landlords and rental properties were addressed with the recommendation for a rental licensing program. Property liens and eminent domain were briefly mentioned. Insurance coverage, shooting range opening, and future development plans were discussed. Regulation of Airbnb rentals and the need for a rental licensing program were mentioned. Limited resources and enforcement challenges were also discussed. The meeting emphasized the need for codes and regulations for parks and lakes. The importance of ordinances, state codes, and permits for dredging were emphasized. Dumping into the lake and enforcement were raised, as well as a licensing or inspection program. Feedback from MRI D and variance committees and community input were requested. Contractors' knowledge of rules and regulations was emphasized. The importance of providing new homeowners with information was discussed. Enforcement and a licensing program were mentioned, focusing on intentional rule-ignorers. The meeting concluded with gratitude, the suggestion for further discussions, and the next meeting date. A motion to adjourn was made.

Potential Actions

Review and revise the dock rules and regulations to address compliance issues and enforcement mechanisms.

[1]

[2]

[3]

Work with the planning committee to incorporate the discussions and findings into the comprehensive planning for economic and community development.

[4]

[5]

[6]

Explore the possibility of sharing a code enforcement officer between MRI D and the city to enhance enforcement efforts.

[7]

[8]

[9]

Create ordinances with stronger penalties and consequences to ensure compliance with rules and regulations.

[10]

[11]

[12]

Consider the establishment of an enforcement mechanism for the lake rules, possibly involving the hiring of a lake officer or exploring other options for enforcement.

[13]

[14]

[15]

Research and explore the possibility of reimbursing the city for the portion of work done for MRI.

[16]

[17]

[18]

Discuss with the city attorney the feasibility of police officers doing contract work and potential payment structure.

[19]

[20]

[21]

Continue discussions with the sheriff regarding off-duty sheriffs working on the lake and establish an agreement.

[22]

[23]

[24]

Investigate how other communities handle similar situations in terms of fines and violations.

[25]

[26]

[27]

Explore the option of property liens and researching the legality of claiming eminent domain on neglected properties.

[28]

[29]

[30]

Request a copy of the insurance coverage from the state insurance agency.

[31]

[32]

[33]

Determine the process for obtaining insurance coverage for the shooting range in Horseshoe Bend.

[34]

[35]

[36]

Close off abandoned roads to prevent illegal dumping and other issues.

[37]

[38]

[39]

Discuss and establish regulations for commercial and residential development on the lakes.

[40]

[41]

[42]

Explore the need for a rental licensing program to regulate Airbnb and other short-term rentals.

[43]

[44]

[45]

Find a codes expert and a parks code expert to address issues related to lakes and parks.

[46]

[47]

[48]

Determine the extent of water belonging to property owners and the regulations surrounding it.

[49]

[50]

[51]

Investigate the process of writing an ordinance to enable the city to enforce violations of code on a graduated scale.

[52]

[53]

[54]

Research the relationship between city and state code enforcement for building regulations.

[55]

[56]

[57]

Explore the need for permits and regulations regarding dredging and the involvement of the Army Corps of Engineers.

[58]

[59]

[60]

Prepare and distribute materials for the upcoming meeting on the 26th of the month.

[61]

[62]

Discuss and consider the implementation of a licensing program.

[63]

[64]

[65]

Explore and propose a tiered system for enforcement of rules and regulations.

[66]

[67]

[68]

Utilize existing laws to address the current situation.

[69]

[70]

[71]

Address future issues and prevent similar mistakes in the city's growth.

[72]

[73]

[74]

Mayor Delair

Please stand for the pledge of allegiance.

Speaker 2

Ok,

...

Mayor Delair

dear Lord. Please bless us and guide us in this endeavor to find the answers and to seek a new direction. Amen. Amen. Ok. We build this as a working meeting. The chair will entertain a motion to suspend the rules. Do I have a motion to suspend the rules? Ok. Makes the motion to have a second. Jeannette seconds. It, sorry, Pat, you can't. We, we're doing it.

Mayor Delair

We're gonna get it done though. All those in favor of suspending the rules, please say I, I oppose a same case. The motion is carried, the rules are suspended, right? So folks, I'm gonna ask you to please stop talking to each other. Yeah, I guess we can do that. Yeah, we can call a roll, do a roll call for the council members.

Speaker 2

Hi here. Oo Spencer here,

Mayor Delair

I'm here. Ok, back to what I was saying. I'm gonna ask people please keep the chatter down because this is a good event for basically three different groups of people to talk to each other about very important issues. So first let's get one thing right out of the way this meeting is not a meeting to either decide on crucified or change anything about the water park itself.

Mayor Delair

If you came here thinking that that's not what it's about. This meeting is about looking at people who do not follow the rules and do not go by what every other taxpayer has to do. That's the issue that we're all facing is facing that with an issue with the water. The variance committee is facing that with an issue of giving variances and people who either don't ask for them or people that don't obey those variances.

Mayor Delair

And the city, of course, we're looking for your feedback to help us out in terms of what ordinances do we need to create so that we have enough teeth to make sure that people who come follow the rules and play by the rules. That's about as simple as it gets, it doesn't have anything to do with somebody or something has to do with an issue that we need to fix drastically.

Mayor Delair

And I've asked the people here to help us do that because they've got experience in doing that. I'm not sure who wants to talk first. MRI D or Variance Committee. I mean, I'm hoping that everybody will get a chance to talk that wants to say something.

Speaker 2

has the city, has the city, have city council members already discussed what ordinances you might be looking for so we could perhaps start alongside of those.

Mayor Delair

No, we're, we're as naive in this as you are. We're looking at a problem. We have not pulled specific ordinances out that we have. I can tell you the ordinance that we have as far as building permits. If someone doesn't get a building permit and we have that situation with the second building placed on a piece of property without the permit ever being approved, then you pay double whatever the building permit is.

Mayor Delair

So if it's a \$25 permit, which we've raised those now to 75 to 100 you would pay double the price 1 50 or 200 you get to go on with your life. And that seems to be a way that things are happening, that people would rather just go ahead and do something and then kind of pay the extra fine and get away with that. So, so the focus of this is how do we address that type of behavior and that type of an issue because now it's blown up from a little

Mayor Delair

building to a real issue and it's only going to get worse as more people move in or as industry comes in here, we need ordinances with teeth and we need ordinances that make sense.

Speaker 2

So would it make sense to hear from the city council members then?

Speaker 2, Mayor Delair

Because they're hearing from the constituents?

Mayor Delair

No, it would make sense that I get to run the meeting and you don't and you're gonna hear from the city council meeting. But I want to hear from the people that are not on the city council. Ultimately city council will have to vote on these rules. But I'd like to hear from people outside the city council because people hear from us all the time basically.

Mayor Delair

But everybody's going to get a chance to talk. I mean, I only hear from every single person that to talk. So if you have an opinion, let's hear it. And when we're all done, I'm gonna give the audience a chance to speak too. We're looking for good ideas and ways to deal with this serious problem.

Speaker 4

I would like one of the things that over the years things may have changed. I talked to a couple of the MRI D commissioners about this previously when I moved to Horseshoe Bend something over 20 years ago, there was a very specific not regulation, I guess from MRI D concerning the size of a pier, the length out into the lake at that time, it was 32 ft total and that included a walkway to get out there.

Speaker 4

That ordinance obviously has not been enforced or changed. I don't know if it's been changed or not, but that's, that's the last information I have. I would like to find out if that's still enforced if it is. Why isn't it being enforced?

Mayor Delair

Ok. Anybody from MRI D help us out with that if I may speak on that.

Speaker 5

last year while working on the marine. I know there were several docs that were being put in. I made a point to call either one of the commissioners or jocks directly to let them know. Hey, one of your docs is going in and I, I know it's not their job, but no one ever came out and inspected that. I'm aware of that.

Speaker 4

That's been our main, that's a good point. It's been like this forever. As far as I know we've got problems and we don't do anything about it. And that's exactly the situation that we're in right now.

Speaker 5

I know it was strictly enforced years ago. Now again, I don't know what happened since then. I would assume it's still a regulation.

Speaker 4, Speaker 5

but I know that there is out there now again, I, you know, I don't know whether they've been changed over the years or not.

Speaker 4

It's possible they could have been amended or something like that. If they have not, do we need to put in some kind of mechanism for enforcement?

Speaker 4, Mayor Delair

I don't know what that takes Mayor Mr Mayor, but I think it needs to be done and that's kind of the issue we're talking about.

Mayor Delair

What do we need for enforcement to make sure these kind of things happen and going back to MRI D, I'd like to hear from you guys what your regulations are or what you want, but I can tell you it's not just MRI D that's not getting enforcement done because I sent our building inspector up with a staff work order, put it on a job and they just finished the job anyway. So it's not, it's not one group of people. It's not one issue. It's a blat agency to be. Basically I'm gonna do what I want this.

Speaker 4

I have a feeling about that as well. You need to put together an audio, I know ordinance that's going to put some teeth into anything that you, the council does. It needs to be monetary and it needs to be high enough so that it gets everybody's attention.

Speaker 5

We did discuss that when we were passing in where, when we were talking about the new structure and fee of the building, permits. we did discuss that the, the fee. We, we talked about that and we probably should have increased that it should be a substantial amount of money because there's a lot of people that would rather just pay the fine than to do it correctly.

Speaker 4

Well, and I agree with you. I think that's exactly what's happened over the years, but you should have a schedule based on the value of what they put in and it should start somewhere around up above \$1000.

Speaker 5

I think it actually states in the ordinance that it's actually to the discretion of the inspector who goes up. But again, get someone that will stand up and do the job, right? But in the instance of if it's a repeat, someone that shows up and just continues to do things without, you know, proper, you know, structure to it, then they can say, ok, you know, better, here's, you know, X amount is what you're gonna owe officer.

Speaker 5

He puts a notice on something that says this is deceased. Now, he disobeys it. The sheriff is called in and say this man's refusing and then he's booked into the county jail.

Mayor Delair

First. I really want to try to get people that have stuff to talk about. I want to hear what you have to say just to address that the sheriffs are not under obligation to enforce city ordinances. Those are not laws, those are city ordinances are lodged within the city. But there are things that the sheriffs can't do. They're doing a great job, but we can't ask them to necessarily enforce our ordinances directly, but we may be able to do that another way.

Mayor Delair

It's a good point, but I'd like to go back to MRI D as far as what do you guys have for regulations? And what kind of issues are you having? Maybe, getting people to follow your regulations because I'm guessing you guys are facing the same problems who wants to.

Speaker 6

I'm not, I'm not sure about the, the dimensions. We, there's a, we have the specs II, I was just a note to, to get a copy of those that don't have them with you, but there's the specifications and, that was here for years. And I think that we have talked about studying that again because, everybody has bigger boats now with so many contents. But I'm not sure that, Pat, do you have a copy of that on your computer to discuss?

Speaker 5

I don't have a copy and I know a really question that regardless of across the board, it's like it's where, where do you start enforcing and where do you start? Because again, if someone has a dock out there that's now 38 ft sticking out. Do you go back and now say, OK, you have to or, you know, do you make them redo what they've done or do you just say, ok, from here on out grandfather?

Speaker 5

And it's how deep do you get into it because it's no different. I mean, if people are just gonna start doing it and hopes that nothing happens, I mean, how many people are gonna take advantage of that?

Mayor Delair

Let's try to define the problem before we try to figure out what we're going to do about it because there's different problems at different levels. You guys face a variance problem that's very different than MRI D and the rules they're trying to enforce, which is very different from our ordinances versus resolutions. Mr Mayor.

Speaker 7

First, first of all, I, I want to congratulate you because I think you made a tremendous step forward with your, with your comprehensive planning committee that you formed. And as you move forward for the economic, as well as the community development is in, that committee is going to play a vital role in setting the vision for the future of the community.

Speaker 7

And all that we're doing here is gonna be wrapped up in that one committee. I would hope so. I, you know, I, I commend you that the committee's got, they've got work to do, ok. I did a study of the, of the doc permits. when I first came on board and one of the issues is the, the like, like, Mr was saying, is the follow up and the inspection of the docs that I looked at prior to this group getting here.

Speaker 7

I looked at 34 applications, 100% of all, 34 had no final inspections, no inspections, all of everyone. Ok. So at looking at the dock rules, they need, they need to be revised because like Uri said, and Mr had said earlier, we can go around the lake and we can just point at docks that are out of compliance that that's there, how they got there, who knows?

Speaker 7

But going forward, you know, we need, we need to address that. And one of the ways we're gonna look for is some type of way we can grab MRI D rules into your code enforcement rules. And have your code enforcement do some things because one part time inspector with everything that's going on this. II, I say one part time, that's what, but one part time inspector is not going to get the job done.

Speaker 7

There's not enough eyes out there looking at this. So, you know, we, we'll look, we'll look to you for help with that again, wrapping this up and your, your planning committee is going to be a tremendous opportunity to moving, moving forward with this. We do have a series of lake rules and each one of those rules has a specific, well, like the speed limit, 35 mile an hour speed limit on the lake.

Speaker 7

Ok. The residents here are good at it. The, the, the non-residential, the weakeners that come in here, they don't pay attention to that and there's no enforcement on that without a lake officer. Lake officer is gonna cost somebody some money. So, you know, those are the things, those are the things we have to look at. We've got a series of lake rules here. Having that enforcement mechanism is the other thing, what I would like to see us do is work to take each one of our, each one of our

Speaker 7

issues here. We, we talk about air boats, we talk about night, night time fishing, nighttime, navigation noise levels. These are all that we have lake rules on, but take each one of those rules and wrap them up inside and ordinance that will like Mr Gill says has some teeth in it. So I'd be more than happy to work with you guys to take each one of those and, and do that. I think that's, that's, that's the direction we're headed in. And I thank you for doing that.

Speaker 4

I think, I think you're exactly right that, but I think what the key part that it has to happen here, you guys to have an enforcement mechanism, whether it's MRD or city or whatever is got to be something in there and it's got to be strong enough to get anybody's attention. That doesn't, you know that there's got to be consequences basically.

Speaker 7

And the, the, or is, that's all we got, we got that, that you guys can do as an ordinance help us with that.

Mayor Delair, Speaker 5

But how can the ordinance of the, of course, is the city or are there, do we have authority to take, do we have the authority to, we do depending on how we set them up?

Mayor Delair

And that was the purpose of setting up the parks and recreation was that we are gonna have code officers similar to, our code officer and to like Kelly, when she goes out, she's writing a summons or a ticket on the basis of a code and then that code goes into the court and there's, there's two things I can talk about with Brad and I'll just share this quick and then I want to hear other people's ideas too.

Mayor Delair

One idea that might work really well is for us to share codes or park recreation, code person. Now, I don't know if that can be done because any time I've talked about for whatever reason, MRI D in this city, we're not supposed to share money. We're not supposed to do things collaboratively. And I don't, it makes no sense in my mind and I'm guessing it doesn't make any sense in your mind if we could get a contracted officer and we could share that person that they could be doing stuff in

Mayor Delair

our parks in the city. But they could also be on a boat on a busy weekend, especially when we know we're going to be flooded with kids and, and things could happen. That would be a good idea.

Speaker 7

We could, we could absolutely pay the city for, for an enforcement officer. That's, that's not an issue.

Speaker 5, Speaker 7

That's just look at the city and then already not hire the same person and directly or we could, we could actually reimburse the city for your portion of, of doing work for MRI D.

Mayor Delair

That, that might be a way to do it. I'm telling you the way the law is, it's, it's goofy when you talk about, can we do stuff with MRI D or can we help them out? We run into the same problem with the honorary police. This is a private organization. Legally, we're not supposed to be handling their money and we're not supposed to be involved and it would be like us supporting boating and fishing. We're not supposed to do that.

Mayor Delair, Speaker 5

Code enforcement, not be employed by both the city and the, well, I think race is probably possibly the way to do it that we do the job and whatever they're doing for MRI D.

Mayor Delair

If they reimburse this person somehow again, we'd have to get with brand and talk about the possibilities of that one.

Speaker 4

may we talk about police officers? Not, not including ordinance, enforcement in their normal duties, but pretty much all of them, a lot of them do contract work after hours. And my suggestion would, because they have police powers, why don't we just pay them as a contract when they, you know, it, it, it would have to have a lot of them because obviously, the weekend is gonna require a lot of supervision basically.

Speaker 4, Speaker 7

but I think that might be impossible and it might dovetail with what is talking about is follow up with this, Mr, I have had a conversation with the sheriff on several occasions about off duty sheriffs working on our lake as a lake officer.

Speaker 7

and he's for that, he's, the sheriff says will work with you whatever we can to put our off duty. They are sworn officers, they do have an enforcement responsibility. they're willing to work with us on that again.

Speaker 4, Speaker 7

It's just coming up with that agreement that, that, you know, that, that we can make everybody sit down right now.

Mayor Delair

It's not the city boat. That boat belongs to the Sheriff's Department. We gave it to them, we got back. Ok.

Speaker 7

So those are the things that can be, can be worked out in, in, in some type of a payment agreement with the sheriff.

Mayor Delair

Right. I agree. But we're kind of getting away from the real problem of not somebody just raising heck on the lake on the weekend or putting an extra long back out there. We're getting away from the fact that people will build what they want, do what they want and you guys don't have the authority over it. It seems like we don't really have much of an authority over it because everybody agrees.

Mayor Delair

Finding somebody 25 to \$100 or even a \$200 fine is really a joke when you're going to do a \$40,000 project is kind of like the money we were taking. We were taking a \$200 when it would cost them four or five to get rid of the shingles. So they just dumped the shingles in our backwoods and never brought in the deposit. Why would you come back and get two if you got to spend an extra three to get rid of it when you can just dump them off the road, that that's kind of the issue we're facing here at

Mayor Delair

what level and what will it take to actually get someone to say? No, I'm not going to do this. And I know I talked with guy and, and I had talked about, we do need our building inspectors to have some level of decision. Is this a person that didn't realize they needed a permit and it's an honest mistake or is this really a blatant? Well, I know this, but I'm just gonna play stupid.

Mayor Delair

Now. I know when I talked with Brad and I talk about a fee structure. Brad's suggestion was we can do so much with code, but you can only go so far with a codes kind of person if we went to, let's say every day that you go past the stop building or stop your job. If we decided my idea originally was we have a codes person that can find someone to write a summons for 100 to \$1000 a day if necessary.

Mayor Delair

Ok, then we, we move past that codes person or, or a summons writer and you get into 1000 to \$10,000 a day, which would really stop someone from a building project. Bran's feeling was then that would really need to move into a court of law at that level. We need a judge to make a decision about that kind of

money that would save us from getting into trouble. And it. Certainly, we would put a lot more teeth into it.

Mayor Delair

We could pass the ordinance and have the money. But ultimately, our district judge would be the person to handle that. Once someone was written a summons, whether that's by the building inspector or by the park codes officer, then they would end up in court and they'd have to deal with the judge about that. Yeah.

Speaker 4, Mayor Delair

how do the other communities handle a similar situation?

Speaker 4

The only thing I'm concerned about is finding the hell out of people is that we get a bad rep as a community. So that all I'm saying is is that we research what other communities do under the same circumstances and come up with something that is not outrageous to what everybody else is doing, but something that still accomplishes what you're trying to other communities have a similar model that we're talking about.

Mayor Delair

However most other communities carry their own police department. So you don't even get into a codes officer. You're actually into a certified law enforcement officer who then can use all kinds of access to the law. And of course, what they do goes directly to a court and to a judge.

Speaker 4

One other point is, you know, we're talking about the building inspectors. We have had building inspectors in the past before you got here or before you were mayor that just did not do their job. And that is probably what half the problem on the lake is right now.

Mayor Delair

Well, that, that may be a problem. It might be a different problem. But since he's here, I want to basically thank guy because he was one of the best building inspectors. We've had, we put a lot of work into it and he did a good job. We have a new one and we have a person that's running the Variance Committee that has a lot of experience in that.

Mayor Delair

I'm not talking about anyone. Right. But I'm hoping that that problem is, is corrected. At least from what we were facing before. I want to hold off on you because I want to hear from the people up here. Yes.

Speaker 8

Yeah. from my past experience, working at a municipality, I had building inspectors and I had code enforcement inspectors that reported to me. We had, we had a plan that was set up that the fees or the fines were escalating. So if, if you violated something, you, you had a certain fine that was levied against you. If you did it a second time, the fine escalated in nature, third time escalated again, the fourth one, we would actually take court action on them and it was amazing how

Speaker 8

fast things really changed. We had multiple subdivisions being built, multiple builders and that when they first started our, our fee structure was that if they, if they had a violation, that they didn't correct, we hit them with a \$25 fine. They, they laughed at us and they would pay the was like, like nothing because that didn't mean anything to them.

Speaker 8

We went through the city council, we got that changed to where it started out at \$100. Then it went to 2500, 1000 builders all had a change of attitude real quick when they were getting hit with \$1000 fine for violating the codes. And it was amazing how, how that situation transformed. So it's the situation and,

and like I said, it was not only the new construction inspectors but the code enforcement inspectors as well.

Speaker 8

We had, we had the same process set up for both of them. And yes, especially on the code enforcement side. Yes, we did take people to court. Unfortunately, it was mostly absentee landlords that were slumlords. But it did change the look of the community pretty rapidly.

Mayor Delair

That's an issue we have here too, absentee landlords. They have a lot of property. Yeah.

Speaker 8

Well, that, and that's another thing that I think because there is a lot of rental properties and it does appear that there's more airbnbs cropping up around the lake. We had a rental licensing program that we initiated, that was not just for airbnbs, it was for any rental properties. They needed to have an initial inspection, any violations that they had on that initial inspection, they needed to correct before they got a rental license and then they were required to have an

Speaker 8

annual inspection and anything that was found needed to be corrected or their license was taken away from them. And, you know, it's unfortunate that you really need to police people to that extent. But if you want a nice community, it, it's almost a necessity anymore.

Speaker 2

Anybody else even fish and game has a tier. They go to class one, class two, class three. And because I looked them up today to see how they work. Their violations here in Arkansas and they have a, they'll do like a class one might be a fine between 100 and 1000 depending on what the offense is.

Speaker 2

Of course, it goes into court with them. They either do a 30 day or they do a, community service type thing. But that would be like class one and then it jumps to a class two where it's 2 50 to 2500 and so on.

Speaker 2, Speaker 8

I, I won't worry you with the rest of them, but it was a tier system that was based on levels and, and, and as you brought up, mayor, you know, if it's a homeowner doing something and he didn't know what the rules were.

Speaker 8

There needs to be a little discretion on certain things like that. I mean, you don't set something up to pound somebody over the head every chance you get, you know, unfortunately there's homeowners that don't know and it's an honest mistake and then there's homeowners that do know and they're just trying to get away with it.

Speaker 8

And so there needs to be some discretion on it. But, yeah, there needs to be some type of ordinance set up to better police the community to be able to maintain it. And so that it stays nice community so it will draw more people to it

Speaker 4

know 11 thing I wanna add to that while we're talking about punitive measures, basically thought occurs to me and I don't know whether you talk to Brad about it or not. But it's possible, to actually, if you get down to the point, you could put a property lean on a piece of property that maybe the guy has ignored regulations for some period of time. But there needs to be a cap, I think. I mean, the serious one, I, I, I'm not, I'm pretty, pretty adamant about this. It just works that way.

Mayor Delair

Sometimes you can't put a property lien on property unless you actually have done some kind of service and they actually owe you money for it. I can't say a property lien on it. They didn't pay a fine or something. You could then possibly put a lien on it because you can't, you can't, we can't make an ordinance that would put a lien on somebody's property. We could make an ordinance that, that says we're going to take care of people's lawns who refuse to mow it.

Mayor Delair

And after six months we mow it. Then we send them a bill at that point. If they refuse to pay the bill, then we could actually put a mechanic's lien on that property for the \$25 or whatever it is. But we can't punish them because they didn't directly do an ordinance. We can only charge them for service. I understand.

Speaker 5

Question because when I was in Jones that we, we contracted a lot of properties for the city of Brooklyn. That was the same instance when people got so far behind on paying those, the city actually contracted someone to come bow them and then they, in return, they didn't pay, then they took court action on it.

Mayor Delair, Speaker 5

So, I don't know, do we have any, anything like that in or I'm not aware of anything that we have like that.

Mayor Delair

We'd have to research that, but I'm not aware of that. I mean, we've talked to Loretta and I have talked to after the trailer park because clearly there's, there's issues up there. and some of those people again that they're abandoned, they haven't been cleaned up and we're gonna need to clean them up if we can put a lien against them, if we can reclaim the city's money. one of the hardest things about cleaning that stuff up is it is in a sense I, I don't wanna say a waste of city money.

Mayor Delair

But if we don't own the property and we clean it all up then that, that money's gone and we can't get that back. And we've gone from five abandoned trailers that we've condemned Loretta and I have found at least 15 more. Now we're to 20 trailers that need to come out and that's a lot of money to spend.

Speaker 5

What about eminent domain on something like that? They aren't taking care of it. City should be able to claim an eminent domain and take it.

Mayor Delair

I know if we condemn the trailer, if we actually get it condemned, then we own it. I can't answer that question. I'd have to ask our attorney about it. I, I don't know if you could actually claim eminent domain. I know if it's been condemned and the, the owners have been contacted, then we can lay claim to those trailers. But again, we're back in the same spot. The moment we lay claim to them, we got to clean them up. They're gonna cost us money to get them out of there to get them cleaned up.

Speaker 4

We still have the property to sell back, assuming it can be sold. And that could go straight back to the city to help reimburse maybe for the clean up initially. Right.

Mayor Delair

Right. That's a possibility. But I don't want to get too far a field. Now we're talking about something totally different than how do we get an individual to obey the rules. That's talking about whether it's a building permit, whether it's a variance or whether it's following the rules that are set, whether it's the lake or wherever we still are forced with, what do we do to get this done?

Mayor Delair

Because clearly we have a situation where nobody ever asks for a variance. The property owners called me and asked, could they get a variance left? That's what happened in the situation. And clearly, it doesn't sound like you were ever asked for a permit even though you're in charge of the permits and you have the regulations for docks and how far you go out in the water.

Mayor Delair

Well, what happens when you double that and, and you basically say, well, I'll care about them. They don't matter either. And we're here basically because ultimately it will fall on an ordinance that we're gonna need T 10 and we're gonna need to come up with in a way that will help everybody work together.

Speaker 8

Well, I don't know if any permits have been issued for that aqua structure because there's never been anything shown physically that I've been able to see that permit has been issued for it. But the problem is if it continues to operate without a permit, somebody gets hurt there. The insurance company can say, man, that thing's illegal, we're not liable. So now who's liable MRI D the city, then that's our tax dollars that's going to pay for that.

Mayor Delair

All of the above are liable, starting with the resort, then coming to MRI D and then coming back to the city, everybody is that's in the food chain.

Speaker 4

We talked about their insurance, their liability coverage. Has anybody seen a policy? There's a mechanism in the state insurance agency or whatever they call it in place that you can actually request a copy of their insurance coverage. And I think if we haven't done that, we need to do it.

Mayor Delair

Ok. That I was unaware of that. To be honest with you, I have not seen one and people that have said they've seen one haven't seen it either. So I, I don't know.

Speaker 4

Well, there's, you know, there's three or four stories running around already that I've heard.

Mayor Delair

And, but that's a real good issue there too. Not just the, the part that's been put up, we're gonna have other come in here, we're going to have other things going on. I actually found a shooting range for any of you that don't know. We have a shooting range in Horseshoe Bend and it's the middle, in the middle of a beautiful park that Horseshoe Bend actually owns.

Mayor Delair

and we're gonna open that back up, that's going to be an insurance liability at the moment. We start letting people shoot guns. and that's gonna be, again, something that the city will, we couldn't just open that range and say, hey, you all go in there and have a good time. Shoot it up. We've got to have insurance and we have to prove that. Where is that?

Mayor Delair

Where is that? I don't tell you about. It's not, it's actually off Easy Street. It's actually, it's actually off a street called Easy Street. It was down in there, goes across park, whatever. And it's very well described because two, they've never cleaned it up. So there's trees growing in the road, you'd never find it unless you knew where to look for it.

Mayor Delair

And like many of our abandoned roads, which is another issue I'm working on. We've got to close these abandoned roads off. Somebody went in there and dumped a restaurant that freezer the size of a pickup truck that's got a commodity. So we have a lot of issues with people doing things and we need to look at

how do we enforce these things. And like Alan said, we don't want to do it in a way that drives people away and we don't want the reputation of don't go there because you'll get in

Mayor Delair

trouble, you'll get fined, whatever. But we still have the issue of making somebody do. What's right. Which is sad. We have to force somebody to do. What's right. We have a police officer shaking his head that he deals with it every day that people don't do. What's right?

Speaker 6

Y'all talking mainly just Crown Lake. Are you talking about all four lakes? That the docks will apply to the same dimension.

Mayor Delair, Speaker 6

Is that all four lakes as far as I know, that's all four lakes in charge of those lakes.

Mayor Delair

They set those standards. So, but their rules are applied to those lakes.

Speaker 2

But is there a permit required to even put

Speaker 6

it in answer to Mr question? We do, we do have a copy of the, of the liability policy on the water park and names MRI D as a, as a covered. But what the amount I think it's 3 million, I believe. But II, I don't know.

Speaker 4

I've heard that story too.

Mayor Delair

Ok.

Speaker 6

Well, you tell me a liar. Yes, I have a copy of it. The, the actual policy or just the, the cover sheet 545, I think it's the old policy.

Mayor Delair

All right. So then here's another good thing that we can talk about. That's an issue involved here too. And that's if you're gonna be an agency in the city, you need to talk city and everybody else involved because clearly variance has a right to see that building committee has a right to see that. And city council since we're affected by insurance. So the question is why do you get it and how come he didn't deal with anybody else again?

Mayor Delair

That's a problem. And, and I'm not saying it's a problem with you. I'm just saying when people do that, that's a problem. You have to go through the agencies that are involved and variance clearly is involved because it's something totally different that you need a variance to the gentleman.

Speaker 8

I have a question for you. if you've seen a copy of the insurance policy for this, have you issued a permit for it?

Speaker 5

No, we have not. Well, see that's, that's where my question comes in effect. Is, is the park, does it have any thing that would tie to regulations that the MRI D puts in place? Because if I'm correct, all the docks you guys do are tested land. This is not tested land, it's free floating.

Mayor Delair, Speaker 5

I don't see any place where it's at, but it is not free floating.

Speaker 5

But I'm saying it's not attached to the actual physical land, except underneath the water. The pylons you put in the water were put in illegally. Well, that's why I'm asking.

Mayor Delair, Speaker 5

That's why I'm saying, does it mean why these people aren't doing their job?

Mayor Delair

Ok. Wait, wait a second.

Speaker 5

That's what I'm saying. Does it meet the criteria for them to enforce it? Because a dock is attached to either concrete or pilings that are attached to the property where this is not attached to their property.

Mayor Delair

And that's a big issue. If that's an issue where something is slipping through the cracks, then we need to fill that crack. You know, and, and that's a real good issue. I don't know where that stands about a month ago.

Speaker 3

I went to MRI D to ask for their, we call it their permits and this and that, you know, the dimensions of how far out a dock can be 32 ft. And, it did not really have anything too much about a floating water park in any of their stuff, but it did say if it was a floating dock, there could not be anything on the lake floor. And obviously there is. But, so, I mean, 32 ft

Speaker 2

sometimes I,

Mayor Delair

we kind of dealt differently.

Speaker 5

That's something that we need to try to figure out to what is point even because the last map I've seen was zoned residential that was back in the seventies or eighties. It's just something that we all, there's an update map. Figure out where's that map? And we're gonna be seeing where everything is actually zoned.

Speaker 8

That property is on time share. According to the zoning, the zoning ordinance, that property is owned for timeshare.

Speaker 5

What criteria do they have to meet as far as zoning?

Speaker 4, Mayor Delair

I mean, they have their own the ordinance because I read, I read some of that in there for timeshare, but there's nothing about a floating water or putting anything into one that is, it's according to the ordinance or the regulations of MRI V existed with 2030 years ago.

Speaker 4

There's nothing supposed to, that's where you got all these floating docks.

Speaker 4, Mayor Delair

Nothing is supposed to be attached to the floor like nothing Ok.

Speaker 5

How, how are the buoy attached to them already placed out because they're attached with concrete.

Speaker 4, Speaker 6

But today all the M ID doing supposedly, but they've been moved around a lot by somebody and I doubt my ID is not all moving the marina something they,

Speaker 6

they got, they got that deal to them. Right.

Speaker 7

We're, we're a little bit off track, Mr Can, can, we, can, I, I think there are two issues we need, we need to address going forward on, on the development. One is the commercial side of development and what's that going to look like? And then the residential side of development of what's that going to look like? If you want to have the residential development piece, then the building permits have to be reasonable.

Speaker 7

However, the non-compliance with the codes also have to be somewhat punitive in order to, in order to make that work. Now, what we MRI D wants to, to look at working with the city is to come up with what is the future commercial development going to look like on the Lakes MRI D property? Anything we got? What is the vision for that? You know, what, what is the vision? So I think your planning committee is, is excellent for that Zoning committee.

Speaker 7

We've all got to work together to do that because there are two issues, commercial development and residential development. And right now we're kind of caught in the middle of all that where we really don't have, we really don't have a rule against it, but we don't have for it. So, what do we do?

Speaker 5

So, in the fact of like Air BNB is like the, is that considered commercial or residential or both, or is that its own special thing? I mean, because again, that

Speaker 7

I've heard a couple of things, that there was some legislation passed at the state level last year about, Airbnb, that the property owner can determine whether or not to do an airbnb and it's up to the property owner to determine is, you know, and again, that's, that's just fear sake. Oh, I don't know for sure. And it's not up to the city to determine an airbnb or to regulate it.

Mayor Delair, Speaker 7

But that's something that, you know, perhaps our city attorney to look into because I think more and more we're, we're going to get, get into that and as we move forward in this next year, especially with the coming, I, I see a tremendous amount of people saying, well, I'm here anyway, I'll just make sure we require like a variance because it's like, do you wanna nuisance your neighbors with having people come and stay and, you know, especially on holiday weekends, you know, a

Mayor Delair, Speaker 7

variance or is it, is it some kind of an airbnb permit much like you would have like a rental permit to operate a, a rental home or a, or a hotel motel, I can tell you what the people are gonna say because if it's going next to you, it's just like the retirement homes or the mental, mental health halfway houses, everybody's for it until it goes next to your house and then you don't want to know from it.

Mayor Delair

And as much as a lot of these air BN BS are good and people are responsible and whatever, then there's other ones that aren't there to supervise. And if you get 15, 20 year olds that come in and a lot of us in this room can still remember what 20 year olds are. You're not gonna want that Air BNB there. Not a lot of Air B and B is all these, I mean, you guys have had rental property forever forever.

Mayor Delair

Ok? But rental is different than an Air BNB. I'm not talking about long term, I'm talking about overnight rentals. But even if you, yeah, if that's what an airbnb is. Ok. Actually, that's not true. The property that's been rented here for years has been rented usually through the real estate agents or someone that's actually here local to kind of supervise that property.

Mayor Delair, Speaker 5

That's very different than someone in Iowa saying I'm going to rent my house out to make money with it and I'm putting it on Air B and B if they did their airbnb, I think there is a man of a company that takes

care of all that kind of stuff. So, I think it's very similar in that aspect of it, but, I mean, a different spectrum because I don't think the management companies here in, you know, and that's, that's very different than picking up the phone and calling somebody.

Speaker 8

I believe. the new governor did sign some legislation prohibiting municipalities from not allowing airbnbs. so that's probably the reason that it would be better to have something set up as a rental licensing program because it does not single out Airbnbs. It's just for all rental properties and to prevent what you're saying, that somebody rents a house and then they got 2020 people in there for the weekend.

Speaker 8

it through the rental licensing program, they would be inspected according to the international property maintenance code and that code, stipulates how many people can be in a house based on how many bedrooms and what the square footage is. So you don't have an overcrowding situation like that.

Speaker 8, Speaker 5

So, and then I think we get back to the enforcement of that and how do you, how do you enforce that?

Speaker 5

Well, I think that's our main problem right now. We don't have any mechanism to enforce whether it's Mr or.

Speaker 8

Well, again, if you put together an ordinance for it and you have code enforcement inspector, you have building inspector, then you do have avenues to enforce it. If they're in violation of the code, then you write a citation for it. And if you have to write multiple citations, they escalate in fees at which point it's no longer profitable for, for somebody to be violating the ordinance.

Mayor Delair

Ok.

Speaker 3

Anybody else where I come from Saint Louis, we have what we call an occupancy permit. Now, that's for people buying the house and moving in. They have to go through the city, fill out these forms and then a building inspector will make an appointment to go in and check it out for, you know, code violations and this and that, that would be and, and if you rented your place out long term, I don't know about overnight stuff, but every renter has to fill out the occupancy occupancy permit

Speaker 3

and then they go in and they check and that way it, it makes sure that the house is safe for the renter and also that the owner is keeping care of their home, you know, so that would be something like they, they would probably check the size of the dock or something, you know, I mean, everything there they check.

Speaker 3

So they would have to go to the city to get this permit, pay a \$10 fee and then inspector goes out and does it. So, I mean, that way it, it keeps up on the house and, and the condition of the house and stuff like that. Like I said, it's more long term. I don't know about overnight stuff.

Speaker 2

My question is what do you do when it's grandfather? Like there are certain landlords here that have been here forever. What about those folks?

Speaker 8

They're not, they, they still would have to apply for a rental license and their property would need to be inspected. I think it matter whether they, they're doing it as a, as a new property or an existing property, if they're renting it out, they would be required to obtain a rental license and have their property inspected and any violations on the property would need to be corrected.

Mayor Delair

I think it depends on actually how the ordinance is written. you can write an ordinance that allows a grandfather clause or you can write an ordinance that allows a person a certain period of time to bring the property up to a standard or to produce a certain number of documents that you need to produce a license or permit to do something.

Mayor Delair

So, it really depends on how you, that's actually worded. you don't have to grandfather anything and really if you don't want to because you can write them with a time code to bring it up this stuff.

Speaker 8

I think I was just gonna say, I think that if the city inspector in the code enforcement were the same person in the small town, I think it would save a lot of hassle and a lot of work.

Mayor Delair

I think it'd be a lot easier for that person to be able to do that job and for us to be able to enforce things, the problem I have with that is first it's very hard to find in this town and get good ones and the way buildings actually going, the truth is, our guy has got a full time job as it is and the building guy and, certainly I think guy knows the building job is getting more demanding and taking more time.

Mayor Delair

We've got a lot of construction going on. There are people coming, there were shoe men. There's a lot of lots being cleared. and in the future, we plan on doing land sales and a lot of things different that will bring more people to this city clear. So I don't think you can combine that into one person and then say, go out there and get them and we really need three people.

Mayor Delair

We might need a, a building inspector. We might need a codes guy and then we might need a parks code guy to deal with the issues of lakes and the issues of parks because we're gonna have parks. and we're gonna expand the parks that we already have a question on when you got a lot. How far out is the water that belongs to them or does the water belong to them at all?

Speaker 5

You know, I think if you, your land survey that your land does protrude so far out into the water, but I, I think it's different, I think is 3 ft into the water. But again, I think that's depending on the water level.

Speaker 7

So it's based on the, on the optimum water level.

Speaker 9, Speaker 7

That will be the things that we seem to be searching for is the teeth.

Speaker 9

And, I guess you, Mr Gill, he touched on this, the lean portion of it. Does that need to be written into an ordinance in order for you to have that ability once a person gets in arrears to the city for violation of code on a graduated scale, like y'all talked about at some point that does the city have to write a new audience? Two? OK.

Mayor Delair

Yes. The thing, that's the teeth the way this work. It's amazing how much law is involved in politics, especially when you look at most politicians and who they are. But the truth is you can't do anything in politics without creating a law in the city. It's called an ordinance. You not only have to write the ordinance so that it's legally written and it makes sense. But the reason you have attorneys and you do all the research is you can't go against any, the Arkansas code already.

Mayor Delair

And people have talked about Arkansas law already. If Arkansas says you can have air BN Bs, then we cannot write a code that says we don't want them, we have to write a code that then will deal with them in an appropriate way that everybody feels comfortable with. And again, that's part of the research that an attorney does in writing these things up and then he presents it to the city council.

Speaker 5

Maybe you could remember touching on that. Ok. Is it not a city doesn't have to abide by state code when it comes to building correct? A city can create an ordinance that can Trump state code and then it makes the state non liable for it.

Speaker 8, Speaker 5

I was just speaking with somebody that I can remember who it was, but I mean, I'd have to check Arkansas law in Illinois where I came from.

Speaker 8

Yeah, the, the state, the only two codes that the state had a state code on was, was for plumbing and the energy code, you could write a code that was more stringent than the state code, but you could not write a code that was less stringent than the state code. My assumption is that it's probably similar in Arkansas here that if you want to write your own code, you can do that, but it can't be less stringent than what the state requires.

Mayor Delair

Laws are written that way and whether you decide to follow state or federal is based on the toughest law that exists. If federal is more, they take precedent over state and vice versa. If the state law is more strict than the state law takes precedent, believe it or not even over federal law when it comes to weapons. So there is a difference. Any other people have stuff to say ideas, comments.

Speaker 2

Do we require permits or dredging?

Speaker 8

Dredging? I don't know if the city does, but if there's being dredging being done, the Army Corps of Engineers would need to be contacted because of the Clean Water Act. They would have jurisdiction even in Crown Lake. Any, any of the lakes that are here in Horseshoe Bend.

Speaker 8, Speaker 5

If dredging is being done, then whoever is going to that dredging needs to get a permit from the Army Corps of Engineers that shows that the work will be done in compliance with the Clean Water Act is the Corps of Engineers of the Office of Emergency Management Corps of Engineers because I know that when building on the lake, you have to require permit from OEM.

Speaker 5

Right to even start. And that's, I mean, we've had homeowners that, that where they never pulled the permit. I know there's a house in the lake currently that they had sea wall, everything done and they never pulled OEM permit. Now again, I think that's only like \$100 permit, but that's something you have to have in the beginning even before you come to obtain a building permit.

Speaker 5

I think you're supposed to have that. I didn't know if that was the same as the Army Corps of Engineers. And I, I then again, I ask, I mean, because the Army Corps of Engineers really doesn't have anything to do with the league.

Speaker 6

You know, we did dredging at my house and I had to fill out the whole paperwork and the Corp of Engineers, they contacted me and said, ask me what was going to happen to the contents of the dredge. And I told them where it was going and they said you don't need a permit to do it as long as you do it. That way.

Speaker 2

I have a question for MRI D. What about the people that are pouring sand into the fronts that winds up in the lake? Is there a rule or anything on how many times they can, don't sand.

Speaker 7

I, I, I'm not aware of anyone dumping in, but I don't think you're allowed to put any more dirt into the lake.

Speaker 2

But, you know, across the coal from the last year, a guy came in with three dump truck loads of sand to put in front of his area. And then, you know, pretty soon it rains and then we've got all this in the water and then we have people complaining that they don't have enough water because the drainage from the city has gone into the lake. I just wondered if you guys have,

Speaker 7

but, you know, there's a, there's a, there's a, an issue that, that kind of parallels that with herbicides and fertilizers. And, you know, like last year I spent a lot of money on grass seeds and fertilizer and then we had the gigantic rains. So I may have just fertilized half a lake. I don't know. You know, but, I, I try to get

the fertilizer that's approved. We have to get the fertilizer approved, but a lot of people don't and they just, you just, you wash in the lake, you seeds in the

Speaker 7

lake, fertilizer in the lake. So that's, that's another issue that, that, that I, I'm glad you brought that up. I haven't really thought about that until you, until you mentioned that. But I know there are certain homeowners that want a beachfront. We don't have any beach fronts so they build the beach and the lots slope to the lake.

Speaker 5

I mean, it's the same point. I mean, do we, I mean, where do you draw the line?

Speaker 2

I guess that's the question.

Speaker 7

But, but, Mr Mayor II, I wanna just kind of follow up on some, one of the things that I, I wish I want everybody to be cognizant of the, a couple of issues. And you, and you mentioned earlier, we as a, as a government or a quasi government body, we can only do what we have legislative authority to do. Ok. That's it. We got it covered by ordinance or law or something.

Speaker 7

The citizenry can do anything that isn't prohibited by those rules and regulations. That's the fine line that you're trying to walk, that we're all trying to walk tangent to that is the issue of, is it right? Is it legal or is it right? You know, it may not be illegal but it may not be right. Unfortunately, the rightness we don't have that. It's either black or white and that's a fine line, Mr Mayor and everybody, we're trying to walk.

Speaker 7

So, you know, but just be cognizant that we can only do what the law laws is to do. The citizenry can do things that they can do anything they want to as long as it's not prohibited by law. So that's, that's the difference. That's the fine line. We're all trying to work here.

Mayor Delair

That's a very good plan.

Speaker 3, Mayor Delair, Speaker 7

Any other comments or anything out there about a water park and I'm from, not that we can find, I don't think you found anything either.

Speaker 3, Speaker 7

So you can't find me for putting mine out.

Mayor Delair

That that's an issue and there's a couple of things that are going to address that issue. One, there's a lawsuit against me over that issue and that will be going to court. I got to do a disposition on it sometime next week. So that's not in vain. You still have your rights as a landowner to go to court because clearly your property values have been taken, your view has been taken and you have standing is what the attorney basically said.

Mayor Delair

So that's an issue that you can address if you want to. But what we were addressing here and I think what's even more important than just the water and what I'm hearing from M ID and variance. And I

think the councilman know the most important thing is enforcement. We don't have our enforcement kind of together to do any of the rules, whether it's a city ordinance or MRI D rules or variances.

Mayor Delair

You know, if somebody doesn't want a variance, I won't get a variance. Well, if you need a variance, if you're doing something that's not normal, it's not regular. That is a variance from the standard procedure and the way things are done and you need a variance. So everybody here tonight has talked about enforcement and that's an important issue.

Mayor Delair

Everybody here talked about possibly a licensing or an inspection program with some of this stuff. I think that's important. And then we also talked about, I think Carol brought a tiered process of enforcement, fines or penalties. So those things are all really important. So, unless there's some major fight, you all want to have what I'd like to ask, MRI D and the variance committee, can you guys write your concerns down and feed it back to the council members for before we look

Mayor Delair

at ordinances and start thinking about what are we going to do or how are we gonna do it? We've got your feedback on what you need and that can be then incorporated into it. I mean, I feel that's a good way to go. You you issue the variances if people aren't asking for variances or there's a way to improve that. Now's your chance help us out and that's what this meeting was about. It's not about crucifying anybody or solving anything.

Mayor Delair

It's about coming up with the best way to do this stuff. And I'm really asking for your help to do that. If you can provide that, we'll distribute it to all the council members, we can talk about it. If there's an issue, maybe we can get together again at some point and do all this stuff. I mean, assuming that's as fair as I can get.

Speaker 8

One thing. I'd like to say if someone is requesting a variance, the city will send out letters to all the adjacent property owners. It's very imperative that as a property owner, you take the time, review that letter. If you have any issue with what you see in that letter that you contact the city, we can only make a decision based on the we have.

Speaker 8

If we don't get any objections for the variance request, unless it's really outlandish, we will probably go ahead and approve the variance request. If you have a problem with it. After that fact, it's hard for us to undo it. So if you get a letter and your neighbor wants to do something that's out of the ordinary, then you need to voice your opinion.

Speaker 8

Either send a letter to the city before the meeting happens or come to the meeting and voice your opinion so we can make a decision based on what the community wants. My group of people here, we're not going to make decisions based on what we want. We're going to make decisions based on what the community wants. What's best for the community, not what's best for us. We're public servants, we're here to serve the public, that's everybody that lives in this community.

Speaker 8

So we can only do a good job if we get feedback from the community. And so if, if you get letters and you're unsure, I call City Hall, they have my phone number. You can call me any time you want. My job is to make sure what we do is what's best for the community and we can only do that with your assistance.

Mayor Delair

Anybody want to add anything in closing. Is there anything MRI D you wanna add or things? I mean, we, I want to thank you for coming and I'm gonna ask you to do just that. Think about enforcement, a licensing program. I don't know if that works in your neighborhood or your job, but certainly the inspection part of it might be a better way to share that or come up with a way I got to talk.

Mayor Delair

I don't know how to do that either. And then I do think a tiered process of enforcement, but we have to be more serious than if you break the rules and you mess up your neighbor, you pay 200 bucks and get away with it.

Speaker 8, Mayor Delair

We can, well, especially if we do a stop work order and they still continue to work that, I mean, I don't think progression on that's going to work.

Mayor Delair

I think it needs to be severe. And I'm asking for people to give me ideas on what that severity can be because we're open to all of it. I mean, certainly reactions are a good reaction. And we can also ask the judge, I mean, because he deals with a lot of this stuff on a daily basis too. We have a wonderful judge that comes in here. You can ask him on some ideas of enforcement. I know Brad felt that might be a good way to go,

Speaker 6

you know, and one thing about being a contractor is making sure that the contractor knows all the rules and regulations because sometimes when you're doing construction and y'all change a rule, if we don't know about it, we can't, we can't follow your rule if you change it in the middle of the thing. So knowing you're going into the, knowing the rules going into the job as a contractor instead of changing in the middle of the situation don't come find him just because you didn't

Speaker 6

know you changed the rule. That's, that's one thing, that's why one thing, that's one thing as a contractor, we got to know the rules. If you change the rules in the middle of a job and y'all come find us, we didn't know the rules. So knowing the rules up front before you start a job and let the finish the job and we know the rule.

Speaker 8

Well, typically, especially on building code issues, if a new building code is adopted, it will not affect current projects, it will only affect projects from that date moving forward. Ok? And typically when the, typically when the new code gets adopted, usually it's adopted. Yeah, it's, it's, it's 30 days after adoption it goes into effect.

Speaker 8

So I mean, I've, I've had to go through code adoption processes numerous times. If a project gets permitted on Monday and the new code goes into effect on Tuesday, that house or that building still gets built under the previous code because it was permitted under the previous code. It does not need to.

Speaker 8, Speaker 6

Now everything needs changed because came into effect that I thought I would try to do that because I remember one time I did a job and they changed the rule on me in the middle of the job and I got, I got reprimanded but I didn't get fined, but I got reprimanded.

Speaker 6

But I didn't know the rule. They changed the rule in the middle of the job. I remember the building inspectors,

Mayor Delair

we can debate the mistakes of our shoe, then we don't have that kind of time. We don't have that kind of time since I got in here. The truth is, even before the builder shows up, we have a bill of those are supposed to be passed out to new homeowners by the real estate people and all of our real estate people are doing that. And certainly the ones that are selling stuff on the internet from Texas, Florida or California.

Mayor Delair

I mean, these companies that are internet based, they're not sharing these things. They're not telling people about any rules, regulations or anything. They don't make their money on the land. We've actually had property that is sold. Please be quiet. We've had property that is sold actually for a penny to \$5 because they made the money on the fee.

Mayor Delair

They charge the person \$500 to do the paperwork to this person to come here and find he can hardly get to the property. So there's a lot of issues when we get into this, we're just trying to go forward one step at a time. Enforcement is a good issue. We all talked about that and we have good ideas, actions and a licensing program makes sense to, I think everybody in the room and let's look at a tiered process.

Mayor Delair

But again, I don't think anybody's thinking this is to punish people that made a mistake. This is to people who blatantly say, I don't care what your rules are. I'm doing it anyways and we all know what I'm talking about when I say that I want to thank everybody for coming here.

Speaker 2

What your timeline for?

Mayor Delair

Well, yesterday. No, I'm just as soon as you have a meeting, I mean, I'd really like to have it and try to disseminate it out to the Alterman so that they can make comments about it. And I mean, we're not rushing into this. We don't need to create an ordinance tomorrow to deal with the situation we have because we're gonna deal with the situation we have and we're gonna use, we can actually use the laws that we already have.

Mayor Delair

There's laws in the books that can deal with this mess and we can get it. But I'm looking at future issues because the city is gonna grow. We've got new businesses coming in and we want to correct the mistakes. So it doesn't go forward. But I don't know. Our, our meeting is what the end of the month, our meeting is the 26th of the month. If you could just have stuff that we could read, pass out to the alter and they could go over it, then, you know, again, we're not looking to cut anything in

Mayor Delair

stone to take the ideas and let's kick them around and let's hear what you have to say and we'll take it from there. Does that work for? Everybody works for me? That emotion to adjourn Jeannette. Thank you very much for