



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: October 17, 2019

Staff Contact: Lee Plemel, AICP, Director

Agenda Title: For Discussion Only: Presentation and discussion regarding Motel Task Force code enforcement activities. (Lee Plemel, lplemel@carson.org)

Staff Summary: The Motel Task Force consists of several city departments, including the Fire, Health, Building, Code Enforcement and Sheriff Departments, with responsibilities in responding to complaints and conducting inspections related to motels. The task force has conducted several comprehensive inspections of motels since its creation in 2016. This item is to provide an update on motel inspection activities.

Agenda Action: Other / Presentation

Time Requested: 20 Minutes

Proposed Motion

N/A

Board's Strategic Goal

Safety

Previous Action

An update on motel inspections was provided to the Board of Supervisors on February 21, 2019.

Background/Issues & Analysis

The Motel Task Force has initiated comprehensive inspections of seven motels since the city implemented the inspection program in 2016. Motels have been selected for inspections based on consultations with the various departments and the Sheriff's office regarding the frequency and number of complaints or Sheriffs calls that come from the motels.

Since the last update to the Board of Supervisors in February 2019, no additional motels have received a comprehensive inspection from the Motel Task Force. City staff has continued to spend time on enforcement activities to try to gain compliance on a few motels that have not completed the required improvements. These motels have continued to be the most problematic in terms of total violations and the number of complaints. The Fire Department continues to conduct regular inspections on all motels in the City, and the Health Department, Building Division and Code Enforcement Division continue to respond to issues and complaints at various motels throughout the City as they arise.

The attached report from the Code Enforcement Division contains an update on the motel inspection and enforcement cases over the last year. The motels not in the report that have been previously inspected with the cases closed are the Philips Motel and Frontier Motel.

Staff from the various departments will be at the Board meeting to answer any questions regarding particular inspection issues. For more information regarding this item, contact Lee Plemel at 283-7075 or lplemel@carson.org.

Applicable Statute, Code, Policy, Rule or Regulation

CCMC Chapter 1.08 (Code violations), Chapter 8.08 (Nuisances)

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: Operating budgets of the applicable City departments.

Is it currently budgeted? Yes

Explanation of Fiscal Impact: Staff time for motel inspections is covered under the various departments' personnel budgets. Staff time for motel inspections and enforcement is limited based on other routine inspection and enforcement duties of the various departments.

Alternatives

N/A

Attachments:

[Motel Task Force Memo BOS Oct 2019.pdf](#)

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)



Carson City Code Enforcement

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MEMORANDUM

TO: Lee Plemel, Community Development Director

FROM: William A. Kohbarger, Code Enforcement

DATE: October 03, 2019

SUBJECT: Motel Task Force Update

I. Open Cases

The Motel Task Force has four cases open, as follows in the order they were first inspected:

1. Whistle Stop Inn (WSI)
1421 N Carson Street
Carson City, NV 89701
Case # 9527

November 2016: (Initial inspection)

August 15, 2017: 1st criminal citation issued

March 2018: (1st re-inspection)

May 2018: (30-day re-inspection)

May 2018: (60-day re-inspection)

June 07, 2018: 2nd criminal citation issued

July 17, 2018: Arraignment hearing (pled not guilty - In addition, the court ordered a competency hearing by September 02, 2018 and set a trial date of September 21, 2018, along with a status review on August 15, 2018, as to if Mrs. Brinson hired an attorney.)

September 22, 2018: Criminal case dismissed due to competency hearing

October 10, 2018: City staff met with BDR Construction to discuss the WSI re-inspection report/violations.

November 2018: CE (Code Enforcement) was advised by the Building Division that permits have been pulled for the WSI.

January 2019: CE was informed that the construction had stopped at the WSI for various reasons.

February to present day: CE has received numerous complaints involving this property ranging from: No power, no heat, no water services, & no trash services, which have been addressed individually as complaints are filed.

Current Status: Enforcement activities are on hold pending a resolution to guardianship and ownership issues in court. The City was informed on August 23, 2019 that the parties involved are attempting to reach an agreement on the guardianship matter. Once this

matter is settled, Code Enforcement will move forward with appropriate inspection and enforcement actions. Staff continues to address individual complaints from property residents as they are submitted.

NOTE: City staff was informed on October 02, 2019 that a purchase agreement was executed for a new owner to purchase the property.

2. Silver Queen Inn

201 W Caroline Street
Carson City, NV 89701
Case # 101164

November 2017: (Initial inspection)

March 20, 2019: (Re-inspection)

April 2019: Criminal case filed through the District Attorney's Office.

May 2019: Arraignment (both parties pled not guilty). Pretrial set for July 2019.

August 2019 to present day: CE has continued to receive numerous complaints involving this property ranging from: No power, no gas service, and a leaking fire sprinkler system (numerous deficiencies per Fire Department).

Current Status: This case has an active citation in the courts. In April, a criminal complaint was filed against the Owner (Retro Inn, LLC), its managing member individually (Mr. Cresci), the Property Management Company (Commercial Real Estate Services, LLC), and its managing member, Mr. Maerz. The complaint addressed the issues that were the most serious in terms of safety to the tenants and combined them into 4 counts against each of the 4 defendants. In summary, these counts were: Count I – no GFCI outlets near the sinks, Count II – no smoke detectors, Count III – bed bugs in several rooms, and Count IV – numerous broken windows, doors and door jams.

In May, the defendants entered “not guilty” pleas and a pretrial hearing was set out a couple of months to give the defendants a chance to make improvements. The pretrial was scheduled for July 24, with a re-inspection on July 18 to determine the status of repairs.

Following the re-inspection, the overall sense from City inspectors was the property was (or almost was) in worse condition than before. However, most of the GFCI's had been installed and most of the rooms now had smoke detectors. The exterminator was present and the defendants indicated they were having the exterminator come monthly. The owners were requested to provide an invoice or some proof that the exterminator would be coming monthly. They indicated the windows and doors had been ordered but were on back-order.

Based on an agreement between the Deputy District Attorney and the defendants, the defendants plead no contest to Count IV, and Counts I, II and III were dismissed based on substantial compliance. The two individual defendants were given a deferred sentence for 4 months on condition that they have no complaints for new violations filed in that time period related to significant safety violations at the Silver Queen. The LLC defendants were fined the maximum \$1,000 each. The next court date is scheduled for November.

NOTE: On September 26, 2019, City staff was advised that this property has changed ownership. The new owner is Mr. Robert Gindt, who met with Mr. Plemel to discuss plans in moving forward on this property. City staff was further informed by Mr. Gindt that this property will be sold to yet another owner in approximately 30 days.

3. Nolan Inn (Formerly the Back On Track Inn)

801 N Carson Street
Carson City, NV 89701
Case # 102692

March 19, 2019: (Initial inspection)

April 08, 2019: (Inspection report given to owner)

May 30, 2019: (Owner requested 30-day time extension, which was granted)

July 11, 2109: (60-day re-inspection)

Current Status: A criminal complaint was filed against the owner (801 N Carson Street LLC) and its managing member (Jacob Nolan), charging each with 3 counts of nuisance violations involving rooms with broken windows, doors and door hardware, blight, and shower valves not properly installed or maintained. The initial appearance was scheduled for September 24, 2019. On September 24, 2019 all parties pled not guilty in court and the case was set for a status hearing in November 2019.

NOTE: City staff was advised on September 06, 2019, that this property was sold to Mr. Robert Gindt, who is in the process of selling this property to yet another new owner.

4. Fifty Flats (Silver State Inn)

1464 Rand Ave
Carson City, NV 89706
Case # 102705

April 16, 2019: (Initial inspection)

April 30, 2019: CE Officers Kohbarger and Johnston conducted a site visit and spoke with Mr. Joey Jennings and gave him the Motel Task Force inspection report.

June 04, 2019: CE Officers Kohbarger and Johnston along with Carson City Building Official Coleman met with Mr. Jennings at the CE Office to discuss the inspection report and building permit processes.

Current Status: This property was given 60-days from April 30, 2019 the date they received the Motel Task Force Inspection Report to correct all violations. On June 04, 2019, Mr. Jennings came into staff offices to discuss the building permit processes. A building permit was issued to complete the repairs, with additional time given by City staff due to the progress being made on improvements. Progress is proceeding, with completion anticipated by the end of the year.

Due to the fact that the four above-referenced cases are active and may result in court action, further details cannot be provided until they come to a final conclusion.

II. Future Inspections

The Motel Task Force agreed at their June 04, 2019 meeting to inspect two motels, one in July and one in August. However, these inspections were not performed and have been delayed due to the need for continued enforcement interactions regarding the above listed motel violations.

III. Closed Cases

A summary of the enforcement cases closed within the last year are as follows:

1. Back On Track Inn

801 N Carson Street
Carson City, NV 89701
Case # 100356

May 2017: (Initial inspection)
August 15, 2017: 1st criminal citation issued.
March 2018: (1st re-inspection)
May 2018: (30-day re-inspection)
May 2018: (60-day re-inspection)
June 07, 2018: 2nd criminal citation issued
September 22, 2018: Criminal case dismissed

Current Status: On January 25, 2019, the Back On Track Inn was sold in compliance with a plea agreement with the District Attorney's Office. Therefore, this case is now closed. A new case was opened under the Nolan Inn (see above).

2. Silver State Inn

1464 Rand Ave
Carson City, NV 89706
Case # 102690

April 11, 2018: (Initial inspection)
July 20, 2018: (Site visit)
August 10, 2018 (Site visit w/photos)
November 06, 2018 (Site visit w/photos)
November 07, 2018: Investigation turned over to the Carson City Building Dept to work with the contractor to establish a timeline for completion of improvements.

Current Status: On March 5, 2019, the Silver State Inn was sold; therefore this case is now closed. A new case was opened under the new ownership; see "Fifty Flats" above.

3. Round House Inn

1400 N Carson Street
Carson City, NV 89701
Case # 102258

August 08, 2018: (Initial inspection)
January 18, 2019: (Re-inspection)
July 02, 2019: (Re-inspection)
August 14, 2019: (Final re-inspection)

Current Status: This complaint has been closed. All violations have been corrected.