

MILO ARTS CENTER DECISION DELAYED TWO WEEKS

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NEWS 05B

By Misti Crane

Dispatch Staff Reporter

Milo Arts Center residents learned yesterday that they will wait at least another couple of weeks for a verdict on the future of their home.

Owner Rick Mann says he has made huge strides since city officials inspected the building at 617 E. 3rd Ave. last year and cited many problems.



Chris Russell / Dispatch
Donna Mann, co-owner of the Milo Arts Center, testifies in court. The hearing yesterday focused on whether the building is safe for tenants.

Patsy Thomas, the assistant city attorney who is prosecuting Mann, wants to evict residents and shut down the building until code violations are corrected. She says the more than 30 residents are unsafe unless the building gets a better fire-alarm system, a sprinkler system and other improvements.

The decision will be up to Franklin County Environmental Judge Richard C. Pfeiffer Jr., who said yesterday that he will hear more testimony March 8.

During testimony yesterday, Mann's attorney, Bill Loveland, tried to establish the circumstances under which a team of more than a dozen city officials inspected the building in September.

One theory in the Mann camp is that the city is going after the owners of the old school because they have other things in mind for the property, such as a recreation center for the community.

John Hughes, a city code-enforcement supervisor, testified that the impetus for the September inspection was a complaint about broken-down cars, high weeds and overgrown shrubs.

Hughes refused to name the person because city law protects the identity of those

who complain.

After the inspection, Hughes said, he checked records and found that Mann did not have an occupancy permit for the building.

But Loveland says city officials have known since 1989 that people live in the building, an assertion backed up by David Perry, a real-estate development specialist who worked as a supervisor in the city development department until 1998.

Perry testified that he was well aware people lived there because of widespread support for Mann's dedication to maintaining a home and work space for artists.

"The city . . . was very supportive of the project for various reasons," he said.

People live in many old buildings throughout the city that lack occupancy permits, Perry said.

Mann's wife, Donna, said that she and her husband never tried to keep the residents a secret and that they were taken aback by the inspection. "They told us we were to vacate, and they were going to level our building and charge us to do it," she testified.

Pfeiffer delayed any city action pending improvements promised by the Manns.

mcrane@dispatch.com