

TAB 1

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ATTN: DEANNA ROBERTS
CITY OF PALMETTO
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January 5, 2009

ACCT. # PALMETTO

RE: CODE ENFORCEMENT BOARD

DATE	DESCRIPTION	HOURS	ATTY
12-29-2008	Review agenda materials for 12/30 meeting.	0.25	AHC
12-30-2008	Final review and preparation for Code Enforcement Meeting. Attend meeting.	1.25	AHC
	TOTAL HOURS	1.50	
Total Fees for Above Services:			\$240.00

DISBURSEMENTS:

Total Disbursements:	\$0.00
Total Fees & Disbursements	\$ 240.00
Previous Balance	\$208.00
Payments	<u>\$208.00</u>
Balance Due Now	\$240.00

**Minutes
Code Enforcement Board
December 30, 2008**

Board Members Present:

Charlie Leonard, Chair
Phil Hoffmann, Vice Chair
Scott Dougherty
Bob Rickey
Robert Rotondo

Staff and Others Present:

Bill Strollo, Code Enforcement Director
Andy Cohen, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the meeting to order at 6:00 p.m. All persons testifying or wishing to address the Code Enforcement Board were sworn in.

1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion passed unanimously to approve the December 30, 2008 agenda.

2. APPROVAL OF CONSENT AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded and motion passed unanimously to approve the December 30, 2008 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 08-10

Kenneth J. Rea
P.O. Box 213
Palmetto, Florida 34220-0213

Violation Location: 905 15th Avenue West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2) & (7), and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 304 Exterior Structure; Section (304.6) Exterior Walls; Section (304.13) Window, Skylight, and Door Frames; Section 308 Extermination, (308.1) Infestation

Mr. Strollo reminded the Board that an Order had been issued at the November 12, 2008, meeting, ordering the Respondent to correct the violations by November 22, 2008, and that costs in the amount of \$395.00 were imposed. As of November 24, 2008, the property was not in compliance; however, on December 18 all of the debris was gone. This property is going through foreclosure, and the bank has begun addressing the major issues brought before the Board. He recommended issuing a Report of Compliance, as the bank is going to begin exterior and interior repairs to get the house ready for sale once they own the property. The costs

imposed will be processed as a lien against the property, but he did not recommend any fines. He further recommended that the case be closed. There was a consensus by the Board to follow staff's recommendation to find the property in compliance and close the case.

B. Case No. 08-12

Wanda Gordon
1610 14th Street West
Palmetto, Florida 34221

Violation Location: 1610 14th Street West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (1), (3) & (4), and Section 16-27(a), (b), & (c); Chapter 7, Buildings and Building Regulations, Article XI Minimum Maintenance Standards, Section 7-243(a), Requirements For Sites.

Mr. Strollo reminded the Board that an Order had been issued at the November 12, 2008, meeting ordering the Respondent to correct the violations by November 22, 2008, and that costs in the amount of \$388.20 were imposed. An inspection of the property on November 24, 2008, showed no change. At that time, the pool cage door was open, and Code Enforcement tied the door shut. As of December 29, 2008, there were still no changes in the property. The property is vacant and is in foreclosure. There has been minimal to no effort to comply, so he recommends a fine in this case.

Mr. Leonard closed the Public Hearing for deliberation and then reopened the Hearing to present the findings.

MOTION: Mr. Rickey moved, Mr. Dougherty seconded, and motion passed unanimously to find as a matter of fact that the Respondent's property contains untended growth of weeds and brush. The property is overgrown. The in-ground swimming pool is full of stagnant water and is providing a breeding ground for mosquitoes. In addition, the pool cage screen has been damaged and can no longer afford protection from infestation. The neglect of this pool cage and the filled pool presents a serious child safety issue; to conclude as a matter of law that the Respondent has violated Sections of the Code of Ordinances of the City of Palmetto, Florida, as read into the record at the November 12, 2008 and December 30, 2008 meetings of the Code Enforcement Board; to impose a fine of \$25.00 per day, commencing November 22, 2008, and continuing until the violation is corrected; to notify the City Commission of the unsafe pool and ask them to take appropriate action; and, to authorize the Chairman of the Code Enforcement Board to sign the completed Order Imposing Fine handed down by the Board at the December 30, 2008, meeting.

C. Case No. 08-15

Clement Flynn
154 New York Street
Palmetto, Florida 34221

Violation Location: 154 New York Street, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 7, Article III, Florida Building Code, Section 7-31.

Mr. Stollo advised the Board that the Respondent had requested the Hearing be delayed until January 27, 2008. He also asked for some documents from Mr. Stollo which he provided.

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded and motion passed unanimously to continue Case No. 08-15 to January 27, 2009, at 6:00 p.m. at City Hall.

4. OLD BUSINESS

Case No. 08-13
El Rodeo Nightclub
Paula Gonzalez

Case No. 08-14
Ashland 2 Partners, LLC
The Hall

Both parties were found in violation of City Ordinances at the November 12, 2008, meeting. Administrative Orders were issued. No fines were imposed. They will be treated as repeat violators should they come before the Board again.

Mr. Stollo advised the Board that he had a meeting with Kathryn McKinney, the City Attorney, the City Clerk and a representative of the church interested in purchasing her property. The City is recommending setting a \$10,000 lien to cover city costs accrued over the past couple of years. The actual accrued liens total over \$300,000. The City Clerk will present the offer to the church, which intends to use the property as a parking lot. If no deal is reached, the City will foreclose on the property.

5. NEW BUSINESS

None.

6. PUBLIC COMMENTS

Mr. David Carrie, 2509 Lantana Lane, Palmetto, addressed the Board regarding reclaimed water. His neighbor waters frequently, and over the years the water from the sprinklers which hits his house has eaten away the paint. He has taken civil action against them, as talking to them did not settle the problem. He wondered why there was no restriction on using reclaimed water. Mr. Stollo advised him that the City wants citizens to use the reclaimed water, because if the City cannot get rid of it, it has to dump into Terra Ceia Bay and the City then pays a fine. An ordinance regulating the placement of sprinklers would have to go through the City Commission.

There being no further business, Mr. Leonard called for a motion to adjourn.

Mr. Rickey moved, Mr. Hoffmann seconded and motion passed unanimously to adjourn the meeting. The meeting was adjourned at 6:41 p.m.

Minutes approved:

Charles W. Leonard, Chair