

TAB 1

**Draft Minutes
CODE ENFORCEMENT BOARD
June 26, 2012**

Code Enforcement Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Tom Devito
Phil Hoffmann
Bob Rickey
Robert Westbrook

Code Enforcement Board Members Absent:

Rose Quin-Bare

Staff and Others Present

Bill Strollo, Code Enforcement Director
David Persson, Code Enforcement Board Attorney
Deanna Roberts, Clerk of the Board

Mr. Leonard called the June 26, 2012 meeting to order at 6:00 p.m. followed by a moment of silence and the Pledge of Allegiance.

The roll was called. Rose Quin-Bare was absent from the meeting.

All persons wishing to speak or testify before the Board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mr. Hoffmann moved, Mr. Rotondo seconded, and motion carried unanimously to approve the June 26, 2012 Agenda.

2. CONSENT AGENDA

- A. Minutes: May 29, 2012
- B. Legal expenses through May 2012

MOTION: Mr. Hoffmann moved, Mr. Devito seconded, and motion carried unanimously to approve the June 26, 2012 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 12-04 (Continued from May 29, 2012)

Marie Phillips
P.O. Box 51081
Sarasota, Florida 34232

Violation Location: 1501 11th Avenue West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26(4), and Section 16-27(a), (b), & (c); Chapter 17, Housing, Article II, Housing Standards, Section 17-28 Palmetto Property Maintenance Code; Section 108 Unsafe Structures and Equipment, Section 108.1 General; Section 108.1.1 Unsafe Structures; Section 108.1.3 Structure Unfit For Human Occupancy; Section 304 Exterior Structure, Section 304.1 General; Section 304.2 Protective Treatment; Section 304.4 Structural Members; Section 304.6 Exterior Walls; Section 304.13 Window, Skylight, and Door Frames; Section 304.13.1

Glazing; Section 304.15 Doors; Section 305 Interior Structure, Section 305.1 General; Section 305.2 Structural Members; Section 305.3 Interior Surfaces; Section 401 Light, Section 402.3 Other Spaces; Section 404 Occupancy Limitations, Section 404.4.4 Prohibited Occupancy; Section 404.4.5 Other Requirements; Section 404.7 Food Preparation; Section 602 Heating Facilities, Section 602.2 Residential Occupancies; Section 604 Electrical Facilities, Section 604.1 Facilities Required; Section 604.3 Electrical System Hazards; Section 605 Electrical Equipment, and Section 605.1 Installation:

Mr. Leonard opened the public hearing.

Code Enforcement Director Bill Strollo testified that he had been sworn and that his credentials are on file with the Clerk of the Board. He reminded the Board that the case had been continued from last month at his request due to the fact the owner was trying to resolve the code enforcement issues. There are serious issues. This property is a residential rental. An individual had been sleeping in a shed. The communal cooking area had gas and electrical hazards, and an extension cord was run from the house to the shed and residents were hanging clothes on it. Mr. Strollo asked for a continuance because the owner has cooperated. A wooden shed condemned by the Building Department has been taken down. The communal kitchen has also been demolished. He has met with the contractor who has been hired to rehab the structure. They are continuing to make progress, but because the violations are so serious, he does not want to drop the case yet. He asked to continue the case to the next meeting.

Mr. Leonard closed the public hearing.

MOTION: Mr. Hoffmann moved, Mr. Rotondo seconded, and motion carried unanimously to continue Case 12-04 to the next regular meeting.

B. Case No. 12-05

Henry Lawrence
2110 2nd Avenue East
Palmetto, FL 34221

Violation Location: 401 17th Street West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 7, Article XI, Section 7-242(a); Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3) & (4) and Section 16-27(a), (b), & (c):

Mr. Leonard opened the public hearing.

Mr. Strollo testified that he had been sworn and that his credentials are on file with the Clerk of the Board. He reviewed the case. This case first came to the Board on May 29, 2012. The property has a dilapidated fence and is covered in dead vegetation and weeds and contains garbage and debris in and around the yards. The fence is overgrown. The Board found the Respondent in violation of the Palmetto Code of Ordinances and the Order directed him to bring the property into compliance by June 5, 2012. Administrative costs of \$407.00 plus applicable recording fees were assessed, and a second public hearing was scheduled for June 26, 2012. Proof of service was received for the Administrative Order.

Mr. Strollo informed the Board that the grass was cut, but the issues of the fence and overgrowth remain. Debris is spilling over onto the sidewalk. The property is basically in the same condition. Mr. Strollo said he has not had any contact with Mr. Lawrence. The property is not in foreclosure. Mr. Strollo said he recommended a fine.

Mr. Leonard closed the public hearing for deliberation. He reopened the hearing to present the Board's finding.

MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded, and motion carried unanimously to find that the Respondent, Henry Lawrence, violated the Code of Ordinances as noticed; to find that the Respondent did not correct the violation within the date and time specified in the Administrative Order dated May 29, 2012; and, to impose a fine of \$50.00 per day, commencing July 5, 2012 and continuing until the violation is corrected.

4. OLD BUSINESS

None

5. NEW BUSINESS

Mr. Stollo informed the Board that the legislature amended Code Enforcement's noticing procedures, and he has asked Mr. Persson to review. He will also be seeking the City Attorney's review. The return receipt is no longer required and a thirty-day time period was imposed before the property can be posted. This could significantly delay cases being heard before the Board.

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

The meeting was adjourned at 6:35 p.m.

Minutes approved:

Charles W. Leonard

PERSSON & COHEN, P.A.
 1820 Ringling Boulevard
 Sarasota, FL 34236

Ph: (941) 365-4950
 Fax: (941) 365-3259

ATTN: DEANNA ROBERTS
CITY OF PALMETTO
P. O. BOX 1209
PALMETTO, FL 34220-1209

June 29, 2012

ACCT. # PALMETTO
 P.O. # 112104

RE: CODE ENFORCEMENT BOARD

DATE	DESCRIPTION	HOURS	ATTY
6-26-2012	Review agenda; attend regular meeting of the Code Enforcement Board.	0.75	DPP

TOTAL HOURS 0.75

Total Fees for Above Services: \$120.00

DISBURSEMENTS:

Total Disbursements: \$0.00

Total Fees & Disbursements	\$120.00
Previous Balance	\$144.00
Payments	<u>\$144.00</u>
Balance Due Now	\$120.00

RECEIVED

JUL 02 2012

CITY

Wm Strolls
July 2, 2012

RECEIVED

JUL 02 2012

**PURCHASING
 DEPARTMENT**

COMPLETED