

TAB 1

**Draft Minutes
CODE ENFORCEMENT BOARD
May 28, 2013**

Board Members Present:


Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Bill Price
Rose Quin-Bare
Bob Rickey
Robert Westbrook

Board Members Absent:

Phil Hoffmann

Staff Present:

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

 Mr. Leonard called the May 28, 2013 meeting of the Code Enforcement Board to order. A moment of silence was observed, followed by the Pledge of Allegiance. The roll was called. Mr. Hoffmann was absent from the meeting.

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

 1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Price seconded, and the motion carried unanimously to approve the May 28, 2013 Agenda.

 2. CONSENT AGENDA

- A. Minutes: April 30, 2013
- B. Legal expenses through April 2013

MOTION: Mr. Rickey moved, Mrs. Quin-Bare seconded, and the motion carried unanimously to approve the May 28, 2013 Consent Agenda.

 3. PUBLIC HEARINGS


A. Case No. 13-02 (Continued from April 30, 2013)

Jeremy Nicholas
618 12th Avenue West
Palmetto, Florida 34221

Violation Location: 618 12th 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) & (4), 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 304.1 General; Section 304.2 Protective Treatment; and Section 304.6, Exterior Walls; Appendix B, Article III Definitions, Section 3.2 Definitions of Terms; Article VI Supplemental Regulations, Section 6.6(b), Screening of Open Storage:


Mr. Leonard opened the public hearing.

 Mr. Stollo, Director of Code Enforcement, informed the Board he had been sworn prior to his testimony and that his credentials are on file with the Clerk of the Board. He stated this case was continued from April 30, and notice was sent to the Respondent. Mr. Stollo said he spoke to Mr. Nicholas today who told him he was unable to attend tonight's meeting. He advised Mr. Stollo that he will continue to make improvements to the house, and he appreciates the Board's giving him time to bring the property into compliance.

Mr. Stollo referred to a Point Paper outlining the history of the case. The Respondent has a history of allowing debris and personal property to accumulate in the front and on the side of his house. Previously he has dealt with this without a public hearing, but due to the recurring nature, he brought the case to the Board. Since the last hearing, Mr. Nicholas has brought the property into compliance. He advised Mr. Stollo that he will continue to paint the house; not just the parts required by Code Enforcement.

Mr. Stollo recommended finding the property in compliance, as Mr. Nicholas has made remarkable progress and has continued to maintain the property for the last six weeks. However, he recommends that he be found in violation of the Code of Ordinances which would make him subject to a \$500.00 per day fine in the event of a repeat violation. He does not recommend any fines or costs at this time.

Mr. Leonard closed the hearing for deliberation. Following deliberation, the Board agreed the property was now in compliance and to follow Mr. Stollo's recommendations.

 **MOTION: Mr. Rickey moved, Mr. Rotondo seconded, and motion carried unanimously to find the Respondent, Jeremy Nicholas, in violation of the City of Palmetto Code of Ordinances; to find the property in compliance as of May 28, 2013; to notice the Respondent through an Administrative Order that subsequent violations of this nature will be treated as repeat violations, subject to a fine not-to-exceed \$500.00 per day; and, to forego imposition of costs or fines at this time.**

Mrs. Quin-Bare asked what the administrative fees would have been if the Board had chosen to impose them. Mr. Stollo said they could easily have been \$400.00.

 **4. OLD BUSINESS**

CEB 13-01 Estate of Donald M. Poe

Mr. Stollo informed the Board that he has issued a Report of Compliance effective May 13, 2013, as the property has been tented as directed in the Board's Administrative Order. He was never contacted by the property maintenance company, he just happened to see it. This will help protect the property adjacent to it. In response to Mr. Leonard's question, he said he has not received a clear termite report, but he is closing it out based on prima facie evidence.

The lien has been filed, but the accrual has been stopped as of the Report of Compliance.

5. NEW BUSINESS

None

6. PUBLIC COMMENTS

As this was Mr. Strollo's last meeting due to his retirement, the Board members wished him a fond farewell and congratulated him on his retirement. They commended him on his service.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:24 p.m.

Minutes approved:

Charles W. Leonard, Chair

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 3, 2013

ACCT. # PALMETTO

P.O. # 1213053

Invt# 060313

RE: CODE ENFORCEMENT BOARD
DATE DESCRIPTION

HOURS

ATTY

5-28-2013 Review agenda and agenda materials; attend
regular meeting of the code enforcement
board.

0.60

DPP

TOTAL HOURS

0.60

Total Fees for Above Services:

\$96.00

DISBURSEMENTS:

Total Disbursements:

\$0.00

Total Fees & Disbursements

\$96.00

Previous Balance

\$144.00

Payments

\$144.00

Balance Due Now

\$96.00

