

Minutes
CODE ENFORCEMENT BOARD
February 28, 2012
6:00 p.m.

Board Members Present:

Charlie Leonard, Chair
Robert Rotondo, Vice Chair
Phil Hoffmann
Rose Quin-Bare
Bob Rickey
Robert Westbrook

Board Members Absent:

Tom DeVito

Staff Present:

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

Mr. Leonard called the meeting to order at 6:00 p.m. The meeting began with a moment of silence followed by the Pledge of Allegiance.

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

1. APPROVAL OF AGENDA

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the February 28, 2012 Agenda.

2. ELECTION OF 2012 OFFICERS

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve Charlie Leonard as the 2012 Chair of the Code Enforcement Board.

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve Robert Rotondo as the 2012 Vice Chair of the Code Enforcement Board.

3. CONSENT AGENDA

- A. Minutes: December 27, 2011.
- B. Code Enforcement Board Legal Expenses through December 2011.

MOTION: Mr. Rickey moved, Mr. Hoffmann seconded, and motion carried unanimously to approve the February 28, 2012 Consent Agenda.

4. PUBLIC HEARINGS

A. Case No. 11-13

Stacey E. Stinton

Niel L. Stinton

1315 6th Street West

Palmetto, FL 34221

Violation Location: 1315 6th Street West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (12) and Section 16-27(a), (b), & (c); Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

Mr. Leonard opened the public hearing.

Code Enforcement Director William Strollo testified that he had been sworn and that his credentials are on file with the Clerk of the Board. This case first came to the Board on December 27, 2011. The Board found that there were two vehicles parked on the property without registration. Respondents were found in violation, and they were directed to bring the property into compliance by January 6, 2012. Administrative costs of \$315.00 were imposed. The follow-up meeting on January 31, 2012 had to be cancelled, and the case was brought back to the February 28, 2012 meeting.

Following the December 27 meeting, Mr. Strollo had the Police Department check on a license plate that had been placed on the silver four-door sedan. The tag was not assigned to any vehicle at the time. It had been assigned to the Stintons for a '96 green Dodge pickup truck.

On a follow-up visit on January 6, he noted the red pickup was no longer visible, but the silver Buick was still there and untagged. On January 13, 25, and 30, the vehicle was in the same location and untagged. On February 7, he found the vehicle properly tagged with a registration date of January 31. He recommends the Respondents be found in compliance as of January 31, 2012, and he recommends a fine for the period January 6-31, 2012.

Mrs. Stacy Stinton, 1315 6th Street West, was present at the hearing to testify on her behalf. She stated that the vehicle is now insured and tagged. She said she just put the wrong tag on the vehicle, and at one point the tag fell off the car.

Mr. Leonard closed the public hearing for deliberation.

Mr. Hoffmann commented that, in the past, Respondents were not fined who complied within a reasonable amount of time.

Mrs. Quin-Bare stated that the purpose of the Board is to bring Respondents into compliance on the date set. She asked what a reasonable amount of time would be to bring a violation into compliance. Who determines this? Mr. Leonard commented that it is at the Board's discretion. Mrs. Quin-Bare asked to set a standard for a reasonable amount of time and to be consistent.

Mr. Strollo interjected that if this violation reoccurs the fine would be double; up to \$500 per day. Another hearing would not be required; the case could go straight to a fine.

Mr. Rickey said a fine would be in order; a good faith effort was not made.

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Mr. Rotondo commented that the original order giving the Respondents ten days to come into compliance might not have been enough time in this economy. He recommended a lenient fine.

The Board discussed an appropriate fine.

Mr. Leonard reopened the hearing to present the Board's findings.

MOTION: Mr. Rotondo moved, Mr. Hoffmann seconded, and motion carried unanimously to find that the Respondents, Stacey E. Stinton and Niel L. Stinton, violated the Code of Ordinances as noticed; to find that the Respondents did not correct the violation within the date and time specified in the Administrative Order dated December 27, 2011; to impose a fine of \$1.00 per day, commencing January 6, 2012 and continuing to January 31, 2012, the date the violation was corrected.

B. Case No. 12-01

Gerald Snyder

Links at Terra Ceia, Ltd.

1909 Southeast 5th Court

Cape Coral, Florida 33990-2208

Violation Location: No Assigned Address, Vacant Residential Lots Located West of Ten Downing Street

Codes Violated: Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26, (3), 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. Leonard opened the public hearing.

Mr. Strollo testified that his credentials are on file with the Clerk and that he had been sworn. This case was originally scheduled for a public hearing on January 31, 2012, but that meeting had to be cancelled. He informed the Board that the property is now in compliance. A Report of Compliance has been issued.

C. Case No. 12-02

Oscar Vela

Leticia Munivez Vela

1308 11th Avenue West

Palmetto, Florida 34221

Violation Location: 1308 11th Avenue West, Palmetto, Florida

Codes Violated: Palmetto Code of Ordinances, Appendix B, Zoning Code, Article III, Definitions, Section 3.2 and Article VI, Supplemental Regulations, Sec. 6.6 Screening of Open Storage, (a) & (b); Chapter 7, Buildings and Building Regulations, Article XI, Minimum Maintenance Standards and Guidelines, Section 7-242(a) Requirements for structures; Palmetto Code of Ordinances, Chapter 16, Health and Sanitation, Article II Nuisances, Section 16-26, Section 16-26 (2), (3), (4) & (12), Section 16-27(a), (b), & (c); Chapter 18 Junked, Wrecked, Abandoned Property, Section 18-1 and 18-3:

Mr. Strollo testified that his credentials are on file with the Clerk and that he had been sworn. This case was originally scheduled for a public hearing on January 31, 2012, but that meeting had to be cancelled.

He informed the Board that the property is in compliance as of February 6. Though he has had continuing problems with this property, he is not recommending any further action at this time. A Report of Compliance has been issued.

5. OLD BUSINESS

CEB Case No. 11-04

Daniel W. Lynch

Cynthia J. Lynch

1405 11th Avenue West

Palmetto, Florida 34221

This case went to the City Commission at the February 6, 2012 meeting. The bank that had taken over the property was appealing the Code Enforcement/Utility liens. The liens totaled \$62,000. The Commission reduced the liens to \$45,000, and the liens were paid off on February 27.

6. NEW BUSINESS

Mr. Strollo presented a Certificate of Recognition to Board member Phil Hoffmann for his dedicated service to the Code Enforcement Board. He has served on the Board since 2002 without missing a meeting. Mr. Strollo said this is the first of many acknowledgments he looks forward to making for outstanding service by all the Board members.

7. PUBLIC COMMENTS

None

8. ADJOURNMENT

MOTION: Mr. Hoffmann moved, Mr. Rickey seconded, and motion carried unanimously to adjourn the meeting.

The meeting was adjourned at 6:51 p.m.

Minutes approved:

Charles W. Leonard

Charlie Leonard, Chair