

Minutes
CODE ENFORCEMENT BOARD
October 28, 2014
6:00 p.m.

Board Members Present:

Charlie Leonard, Chair
William Price
Rose Quin-Bare
Bob Rickey

Board Members Absent:

Robert Rotondo, Vice Chair
Robert Westbrook

Staff Present:

David Persson, Code Enforcement Board Attorney
Javier Vargas, Deputy Director of Public Works
Mike Williamson, Code Enforcement Officer
Deanna Roberts, Clerk of the Board

Mr. Leonard called the October 28, 2014 meeting to order at 6:00 p.m. A moment of silence was observed, followed by the Pledge of Allegiance. The roll was called. Mr. Rotondo and Mr. Westbrook were absent from the meeting.

All persons wishing to address the Board were duly sworn.

1. APPROVAL OF AGENDA

MOTION: Mrs. Quin Bare moved, Mr. Price seconded, and the motion carried unanimously to approve the October 28, 2014 Agenda.

2. CONSENT AGENDA

- A. Minutes: February 25, 2014
- B. Legal expenses through February 25, 2014

MOTION: Mrs. Quin-Bare moved, Mr. Price seconded, and the motion carried unanimously to approve the October 28, 2014 Consent Agenda.

3. PUBLIC HEARINGS

A. Case No. 14-01

Jackson Hardware
1118 8th Avenue West
Palmetto, Florida 34221

Violation Location: 1118 8th Avenue West, Palmetto, Florida
Codes Violated: Palmetto Code of Ordinances, Chapter 3, Advertising & Signs, Article III
Signs, Section 3-62 Definitions; Section 3-157 (a), (b), (c), & (d)

Mr. Leonard opened the public hearing.

Code Enforcement Officer Michael Williamson testified that he had been sworn prior to his testimony and that his credentials are on file with the Clerk of the Board.

Mr. Williamson informed the Board that the Respondent, Eric Jackson, is identified as the owner of the business, and Louis P. Thomas is identified as the owner of the property. A site inspection on May 9, 2014 revealed that the pole sign in the front of the business was blank and deteriorated. A notice was sent to Eric Jackson to remove the sign within thirty days. No action was taken. Contact was made with Keith Thomas, son of Louis Thomas. He agreed to work with the Respondent to remove or replace the sign within thirty days.

On July 16, 2014, a site visit revealed Mr. Jackson had placed a vinyl banner on the face of the sign. A vinyl banner is considered a temporary sign and is allowed for forty-five days. A letter was sent in August to Mr. Jackson informing him the sign needed to be removed and a permit pulled to replace the pole sign within ten days. A Notice of Violation was sent to both parties on September 5, 2014.

Mr. Williamson said this is the running case history. This case was reassigned to him from another officer on October 22, 2014. At that time, he met with Mr. Keith Thomas on a strategy for compliance. Mr. Thomas scheduled a meeting with Mr. Jackson. On October 23 Mr. Williamson received a call from Mr. Thomas informing him that a sign contractor was on board. The sign contractor advised Code Enforcement on October 24 that he was pulling a permit and had removed the temporary sign.

Mr. Williamson showed a picture of the blank and deteriorated sign in 2007. Mr. Jackson worked to get the hazardous sign structurally secure, but when he put in the vinyl temporary sign that kicked in another violation. He showed a picture of the sign taken before the meeting today with the pole sign repaired and the vinyl sign removed. Today he was notified that an active permit is approved to correct the blank sign.

Keith Thomas, 4709 Snead Island Road, Palmetto, Florida, co-owner of the property, addressed the Board. He apologized to the Board, commenting that in his twenty-six years of doing business he has never tried to skirt the law. Mr. Jackson rents the space and the sign is his responsibility. He has asked him to fix the sign, and his only recourse was to ask him to move which he didn't want to do. This past week he stepped in and decided that if Mr. Jackson would not take care of it, he would do whatever it takes to comply.

In answer to Mrs. Quin-Bare, Mr. Thomas said he first became aware of the situation through Code Enforcement Officer Whitney Chapman in May. He began trying to track Mr. Jackson down, but it was very hard to get in touch with him.

Eric Jackson, owner of Jackson Hardware, addressed the Board. He said his home address is in Parrish. The original damage occurred when a truck hit the sign. He has been arguing with the insurance company. He said when Code Enforcement told him the structure needed to be fixed, he took care of that right away. He did not understand the code required him to have the insert put in right away. He will have the sign restored to the original. The sign company has pulled a permit and it has been approved. The new sign should be in next week.

Mr. Williamson clarified the new sign will be aluminum and it meets code. He presented his recommendation to the Board.

There being no further comment, Mr. Leonard closed the public hearing. The Board began its deliberation and having reached a conclusion, Mr. Leonard reopened the public hearing to present its findings.

MOTION: Mr. Price moved, Mrs. Quin-Bare seconded, and the motion carried unanimously to find the Respondent, Jackson Hardware, in violation of the City of Palmetto Code of Ordinances, as noticed; to direct the Respondent to correct the violation within twenty (20) days, or by November 17, 2014; to schedule a public hearing for November 25, 2014, to determine if the violation has been corrected; and, to consider assessing administrative costs incurred in the processing of this case in the amount of \$235.00 at that meeting.

4. OLD BUSINESS

Code Enforcement Officer Mike Williamson informed the Board that the City has a new software system, BS&A, and Code Enforcement has changed procedures. The new system allows them to work in the field with tablets. If he has a building permit issue, he can access building permits on his tablet. The building official, planning and zoning and the code enforcement officers can all see the same thing. He can shoot pictures in the field to document the cases instead of typing everything in.

Mr. Williamson gave a PowerPoint presentation, which is attached to and made a part of these minutes. He said he has been working with the Palmetto Police Department. He cannot go into the back of a home, but if the police department is working a site and calls in code enforcement, he can enter the property and cite for overgrowth as an example (picture of such a site included). At that point, it is deemed an officer safety issue.

He stated he is also working with the Community Redevelopment Agency and Habitat for Humanity to correct code violations while a home is being rehabbed.

He has worked with the North River Fire District in a recent arson case. The house will be demolished.

Mr. Williamson said Code Enforcement is working with faith-based groups. He worked with Palmetto Peacemakers to clean up one of the residential rehab homes. It was totally overgrown, and the backyard was filled with debris. The property is now in compliance; the water is back on and the resident is able to live there. Palmetto Peacemakers will be painting some houses in the City with the Brush with Kindness program.

He reported he is also working with farmworker housing. He met with property owners and Waste Management and came up with a strategy. The area has been cleaned up and there have been no calls for service or additional pickups. He has been in the community introducing himself and handing out flyers in English and Spanish.

He reported that there has been a dramatic decrease in the amount of off-site signs. He is in touch with businesses that sell signs, and they will include a letter from Code Enforcement regarding off-site signs with all signs sold locally.

He informed the Board that Ordinance 2013-19, the Drop Box Ordinance, was passed and is being enforced. There are no drop boxes left in the city.

He also reported that the Noise Ordinance was amended. Palmetto Police Department and Code Enforcement will be issuing citations. The first violation is a warning that will remain in effect for 365 days. The second violation comes with a \$250 fine. If it occurs three times in 365 calendar days, there is a \$500 fine. Subsequent violations will all incur \$500 fines. He explained that the City is using the "reasonable man standard." Mrs. Quin-Bare opined that could set the City up for lawsuits.

Attorney Persson commented that some noise violation cases could come before the Board.

Mr. Williamson said that since the meetings are case-driven, he plans to meet with the Board at least twice a year if there are no cases to keep the Board updated.

Javier Vargas thanked Mr. Thomas for being present at the meeting. He stated that he is always helpful, and he knows he will take care of the sign. He thanked Mr. Williamson for the presentation and the Board for their time.

There was consensus to move the next meeting to December 16, 2014, at 6:00 p.m. The Respondent will be so notified.

5. NEW BUSINESS

None

6. PUBLIC COMMENTS

None

7. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Minutes approved: December 16, 2014

Charles W. Leonard

Charles W. Leonard, Chair