

**MINUTES
CODE ENFORCEMENT BOARD
CITY OF FORT PIERCE
100 NORTH U.S. # 1
FORT PIERCE, FL 34950
JANUARY 8, 2014**

Chairwoman Misty Minton called the meeting to order at 9:00 AM.

All present stood for the Pledge of Allegiance.

The role was called. Those present were Chairwoman Misty Minton, Vice Chair John George, Board Members Michael Monti, Geraldine Murphy, Terry Wolters, and Roderick Wallers.

Donald Scott was absent. Michael Monti moved to excuse Mr. Scott's absence. John George seconded the motion. A vote was taken and it was unanimous.

The next item on the Agenda was Approval of the Minutes of the meeting held on November 13, 2013.

Motion was made by John George, seconded by Michael Monti to approve the Minutes of the meeting on November 13, 2013.

Those voting in favor of the motion were: Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda was the swearing in of the code officers: Code Compliance Manager Margaret Arraiz, Code Officers Shaun Coss and Janey Singer, Building Department Officers Kevin Grant and Brad Leary, Sr. Permit Specialist Kristie Kirstein.

Staff present was Code Enforcement Board Secretary Colleen Greer and Assistant City Attorney James Walker.

Chairwoman Misty Minton welcomed Rob Waller to the Code Enforcement Board. Margaret Arraiz stated that we are still looking for an alternate.

The next item on the agenda was 5B Lien Reduction Requests.

Item 5B-1 is case # 11-1431; property address is 2102 Golfview Court, Ft. Pierce, FL which was previously owned by Charles A. Riberaud of that same address and currently owned by Mr. Norman Zlinkoff, A to Z Properties, Inc., 4521 SW Bimini Circle, Palm City, FL 34990. The code section in violation is 22-187 (13) for landscape maintenance.

Margaret Arraiz presented the Facts of the Case and explained that we had received a Notice of Tax Deed Sale with Excess Proceeds. The lien had accrued to \$69,340.00. The City received a payment of \$18,854.92 from the Excess Proceeds. The Staff's recommendation was to accept the proceeds as settlement.

Motion was made by John George and Geraldine Murphy seconded the motion that the Board makes a request to the Commissioners to reduce the lien of \$69,340.00 to the amount received from excess proceeds of a tax sale of \$18,854.92. This is based on the 7 criteria of Rule 17.

A vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Item 5B-2 is case # 11-1623; property address is 517 S 8th Street, Ft. Pierce, FL 34950. The property was previously owned by Jennifer Holgerger (TR), PO Box 880694, Port St. Lucie, FL 34988. The property is currently owned by Al Bernetti, 1177 Bayshore Dr., #207, Ft. Pierce, FL 34949. The code section(s) that were in violation is 22-187 (13) for landscape maintenance.

Margaret Arraiz presented the Facts of the Case and explained that this also was Excess Proceeds from a Notice of Tax Deed Sale. The total amount of the lien is \$63,640.00 and we received from the sale \$8,031.91. The Staff's recommendation is to accept the excess proceeds from the tax sale.

Motion was made by John George and seconded by Michael Monti that the Board makes a request to the Commissioners to reduce the lien from \$63,640.00 to the amount received from excess proceeds of a tax sale in the amount of \$8,031.91. This is based on the 7 criteria of Rule 17.

There being no further discussions a vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

The next item on the agenda is 5A Current Violation Cases.

Item 5A-1 is case # 12-0231; 610 N 14th Street, Ft. Pierce, FL owned by Ignacio Torres, 3290 NW 45th Street, Miami, FL 33142 has been rescheduled for the March 12 meeting.

Item 5B-2 is case # 11-2360; 1350 Juanita Avenue, Ft. Pierce, FL owned by Robert T. Andersen, 31 SE 2nd Road, Homestead, FL 33030. The IPMC section(s) are 505.1.3, 102.8, 506.1, 506.2, 506.1, 504.1 and FBC 105.1. Section(s) IPMC 505.1.3, 506.1, 506.2, 506.1, and 504.1 are in compliance and the owner and officer are trying to come to a resolution regarding item no. 2 IPMC 102.8 and FBC 105.1.

Motion was made by Michael Monti and John George seconded to continue the case until the March 12 meeting.

A vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Item 5B-3 and 5B-4 was postponed to allow the respondents who were traveling time to arrive.

Item 5B-5 is case # 13-2173; 508 N 14th Street, Ft. Pierce, FL owned by Mayfive Capital LLC, 8902 N Dale Mabry Highway, #200, Tampa, FL 33614 for code section(s) 5-369 vacant buildings. No one was present representing Mayfive Capital.

Officer Janey Singer read the Summary Sheet and requested the Code Board find the property out of compliance, allow 0 days to comply and assess a fine of \$250.00 per day. In addition Staff requests Code Board authorize the City to board the property up and assess the boarding up costs to the property owner.

After discussion and exhibits were shown a motion was made by Michael Monti and seconded by Geraldine Murphy to allow owners 0 days to comply, assess a fine of \$250.00 per day until compliance and City should take proper steps to board the property up and bill the owner for charges.

A vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Staff allowed a little more time for the respondents in Items 5B-3 & 5B-4 to arrive and moved on to Item 6C; Comments from Staff.

Margaret Arraiz explained that we were going to revamp our minutes and go from verbatim to summary minutes. Chairwoman Misty Minton asked the opinion of Jim Walker who confirmed that summary minutes were acceptable and was the current trend of many departments.

Item 5B-3 is case # 12-1566; 809 Atlantic Avenue, Ft. Pierce, FL owned by Judith Hoeve, 16027 89th PL N, Loxahatchee, FL 33470 for code section(s) 5-370 exterior property and landscaping, 22-187 (13) (b) landscape maintenance, 5-368 (1) property maintenance, 16-46, 16-47, 16-48 (7) nuisance as a condition, 5-368 (6) fence maintenance, and 16-46, 16-47, 16-48 (1) (5) outside storage.

Officer Shaun Coss read the Summary Sheet and stated that all of the violations had been brought into compliance except for 5-368 (1). Staff requested R & D for complied violations and for section 5-368 (1) that the Board provides 60 days for the property owner to obtain the permit and comply with the conditions of the permit.

Judith Cherylten Hoeve was sworn in and testified that she was in agreement with the Staff's request.

There were no questions or discussions.

A motion was made by Michael Monti and seconded by Geraldine Murphy that the Code Board find the violator to have been in violation of code section(s) 5-370, 22-187 (13) (b), 16-46, 16-47, 16-48 (7), 5368 (6) and 16-46, 16-47, 16-48 (1) and (5) but that the violations has been cured as of the date of this hearing. The violators shall be warned that if these violations reoccur, pursuant to Florida Statute 162.09, the Code Officer may notify the Code Board and request that a fine be entered. In addition moved that in the case of section 5-368 (1) the violator be given 60 days in which to obtain permit and comply with the conditions of that permit. Failing which the violator is to be assessed a fine of \$250.00 a day until the violation comes into compliance.

There was no discussion from the Board.

A vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Item 5B-4 is case # 12-1818; 1012 Mayflower Road, Ft. Pierce, FL 34950 owned by Glenn E. Davis (EST) of that same address. The IPMC section(s) are 304.7, 304.13, 304.18.1, 504.1, 506.1, and 305.3. There was no representative for this case.

Margaret Arraiz read the Summary Sheet and stated that the violations do exist. Staff is requesting the Code Board find a violation to be found and a fine assessed.

Chairwoman Minton discussed the amount of the fine and Kristie Kirstein explained how she determined the amount to recommend to the Board. Manager Margaret Arraiz reminded the Board that the amount was a recommendation and they could assign any amount up to \$250.00. With no further discussion from the Board, a motion was requested.

A motion was made by John George and seconded by Terry Wolters that the Board find a violation does exist and the violators that are not present are deemed to have admitted guilt. It was further moved that they be given the number of days recommended by the Code Enforcement Officer on the case summary sheet to come into compliance or they be fined the amount also shown on the summary sheet.

A vote was taken and all in favor were Board Members Monti, Murphy, Wolters, Wallers, Vice Chair George, and Chairwoman Minton. Those opposed: none.

Misty Minton reminded the Board that the next meeting would be March 12.

There being no further business, Chairwoman Minton declared the meeting adjourned.

Meeting adjourned at 9:45 AM.

ATTEST:

SECRETARY TO THE CODE BOARD

CODE ENFORCEMENT MANAGER

A Taped Recording of this Meeting has been saved.

