

**CODE
ENFORCEMENT
BOARD**

City Commission Chambers
301 S. Ridgewood Ave., Daytona Beach, FL 32115

Members: Weegie Kuendig, Chairman; Turner Hymes, Vice-Chairman; Neil Harrington, Karen Robey & Bradford Gonzalez

July 23, 2020

(corrected August 13, 2020)

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mr. Neil Harrington
Ms. Karen Robey
Mr. Bradford Gonzalez

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Officer Cortland Lampe, Daytona Beach Police Department
Officer Steve Catalano, Daytona Beach Police Department
Mr. Tom Clig, Code Inspector
Mr. Daniel Garcia, Code Inspector,
Mr. Clifford Recanzone III, Rental Inspector
Ms. Sara Kirk, Code Inspector
Mr. John Stenson, Lead Code Inspector
Ms. LaWanda Tomengo, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by: Mary Louise "Weegie" Kuendig Chairman

The Chairman called the meeting to order at 9:21 a.m.

Ms. Barnes called the roll and all members were present.

Mrs. Kuendig asked the Board Members if they had read the minutes of the July 9, 2020 meeting and if there were any changes. There were none. Mrs. Hymes motioned to approve the minutes with Mr. Gonzalez seconding the same. Motion approved (5-0).

Mrs. Kuendig asked for disclosure of Ex Parte Communications.

Mrs. Kuendig asked if there were any announcements and Ms. Barnes announced the following cases.

CASE # 26- CEB 06-20-133 - Jebah Reeves is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **525 George St.** Violation(s) – Rubbish and garbage. First Notified – 10/30/2019.

Compliance 7-22-2020

Mrs. Kuendig called the first case.

CASE # 1 - CEB 07-20-125 - Clinton & Margaret Smith is cited for failure to correct violations of City Code Ch. 42 Sec. 42.214, at **636 Fremont Ave.** Violation(s) – Noise complaint. First Notified – 3/29/2020.

Ms. Keisha Smith and Terrance Smith came forward and were sworn in. Ms. Smith stated the owners were her mom and dad.

Mr. Jackson stated the case is a violation of Chapter 42 and there was noise coming from the property owner or individuals there. He stated there have been repeated incidences and parties and complaints. He stated the Police Officer came and explained the code but there were 4 times during the night they were called. He stated the ordinance states there can be no noise after 10 PM.

Officer Rivera Lahey came forward and was sworn in.

Ms. LaWanda Tomengo, Code Inspector, stated the problems started on March 28 and escalated from there. She provided the Magistrate with the Tiberon Call redacted Police Report. She stated she had no contact with the owner and that a residential neighbor would like to testify.

Margaret stated there was not a party going on. She stated the complaints started from the neighbor behind her. She stated she has a deck and pool and her grandchildren play there. She stated she has lived there 23 years.

Mr. Smith stated they have keep their dogs in the house not and the neighbor even complained about the basketball goal.

Mr. Landon Williams came forward and was sworn in.

He stated the Respondents built a 2 story entertainment structure in their back yard. He stated it has a big screen and a public address system. He stated they added speakers and a DJ in 2017 and it continues 24 hours a day. He stated they have parties with outdoor music and he cannot be in his own bedroom because it is so loud. He stated he is relegated to the den on the other side of his 2000 square foot house to get any quiet. He stated it wakes him up from sleeping and he often cannot hear the television because the volume is overpowered by the noise 2 to 3 times per week. He stated if he opens his windows in his bedroom marijuana smoke comes in. He stated the Respondents have a social media business.

Officer Lahey testified that he had been out to the property 3 or 4 times on March 28th. He stated he made contact with the owners and there were lots of vehicles on the property. He stated they

told him they would shut it down. He stated he spoke to Mr. Landon and he stated it was an ongoing issue.

Mr. Gonzalez asked if the Respondent's complied.

Officer Lahey stated they went to the property an additional 2 times before the owner's complied.

Captain Lee stated the City is asking for a finding of Non-Compliance and now in Compliance. He stated they have a letter from another neighbor and copies of promotional social media posts.

Mr. Jackson read a portion of the code violation.

Ms. Smith stated there are no amplifiers.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent was previously in Non-Compliance and is now in Compliance and for any repeat violations may be returned to the Code Enforcement Board for consideration of a fine up to \$5,000 per occurrence. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 2 - CEB 07-20-90 - Louise Scanlon is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 304.8, 304.13.1, 304.13.2, 404.4, 404.4.2, 404.4.4, 404.5.1, 507.1), at **1504 N Grandview Ave.** Violation(s) – Accessory structures, protective treatment, exterior walls, roofs and drainage, decorative features, glazing, openable windows, bedroom and living room requirements access from bedrooms, access from bedrooms, prohibited occupancy, sleeping area. First Notified – 12/31/2019.

Mr. Joseph Scanlon came forward and was sworn in.

Mr. Recanzone stated the case started as a result of a police search warrant. He stated the property is still in Non-Compliance and he has had no contact with the respondent. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. Scanlon stated his mother is deceased and he has gotten some of the work finished.

Mr. Recanzone stated a family member is living there.

Mr. Scanlon stated his daughter bought the property.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 3 - CEB 06-20-103 - Inteleco Asistencia Technica SA is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 308.1), at **819 Lenora St.** Violation(s) – Junk vehicles and trash. First Notified – 8/3/2018.

Mr. Mike Libby, owner, came forward and was sworn in.

Mr. Clig stated the first time he met the Respondent was when he posted the property.

Mr. Libby stated he has spent the last 6 days cleaning up the outside storage and the cars are gong.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 4 - CEB 06-20-114 - Kenneth Jacobs is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2), at **615 Clark St.** Violation(s) – Overgrown grass and weeds, faded paint. First Notified – 8/28/2019.

Respondent was not present.

Mr. Clig stated the soffit area was demolished as of yesterday and should be in Compliance by Friday.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 5 - CEB 06-20-113 - Taiisha Mendez is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **619 Clark St.** Violation(s) – Outside storage. First Notified – 8/28/2019.

Ms. Taiisha Mendez came forward and was sworn in.

Mr. Clig stated there is a large amount of outside storage on the property.

Mr. Mendez stated she had been on the road for a year and she was moving in that day.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 6 - CEB 07-20-135 - Dominick C Marangoni & Cynthia Fratantuono is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4), at **755 S Ridgewood Ave.** Violation(s) – Failure to maintan exterior (garage, windows, soffit). First Notified – 7/30/2019.

Respondent was not present.

Mr. Clig stated the building has been damaged for a couple of years. He stated he received a letter that the property was being sold and asked for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 7 - CEB 06-20-140 - Ann Edwards is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.1.1, 304.7), at **119 S Helme Pl.** Violation(s) – Exterior structure, unsafe conditions, roofs and drainage. First Notified – 5/15/2017.

Ms. Karen Duroshag came forward and was sworn in.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he had contact with the respondent.

Ms. Duroshag stated that a tree fell on the house and she is going to demolish it.

Ms. Kuendig asked if she lives there.

Mr. McCoy stated no, that is it vacant. He stated there are supplies in the building.

Ms. Edwards stated she has the paperwork for a dumpster to be delivered to clear out the inside. She stated demolition is coming.

BOARD ACTION: Mr. Gonzalez motioned to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes seconded the motion. Motion was approved 5-0.

CASE # 8 - CEB 06-20-134 - Bret M Beach is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 305.3, 309.1, 604.3), at **145 S Hollywood Ave 2.** Violation(s) – Infestation of termites, interior surfaces, electrical system hazards, roofs and drainage. First Notified – 11/6/2019.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he spoke to the Deputy Building Official and the Respondent needs a licensed contractor for the electrical box.

Mrs. Kuendig asked if it was an income property.

Mr. McCoy stated yes and the case was the result of a citizen complaint.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 9 - CEB 07-20-91 - Joy Brown-Maxwell, Vivian M Brown EST, Tia Watson & Richard Thomas is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8, 304.2, 304.13), at **425 Maple St.** Violation(s) – Protective treatment, paint, exterior windows, doors, fence, lawns, landscaping. First Notified – 11/28/2018.

Ms. Joy Brown came forward and was sworn in.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to bring the property into Compliance. He stated the property has a list of violations.

Mrs. Kuendig asked if the Respondent lives there.

Ms. Brown stated she lives there and is working on it. She stated she is asking for more time. She stated she has limited funds and is on disability.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 10 - CEB 06-20-142 - Leatris E Bevans is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4, 302.5, 302.7, 304.2, 304.7, 304.10, 304.13, 304.14, 308.1), at **436 Alamanda St.** Violation(s) – Abandoned building, vacant structure and land, weeds, rodent harborage, protective treatment, roofs and drainage, accessory structures - fence. First Notified – 12/27/2018.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to bring the property into Compliance. He stated nothing has been done. He stated the Respondent has a permit and it has been extended but the building is dilapidated. He stated he spoke to the owner when he originally opened the case and it is vacant. He stated the owner is local.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 11 - CEB 07-20-106 - Roslyn Page is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 504.1, 504.3); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297., at **555 Oak St 3.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/18/2017.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated the Zoning department is reviewing the property and they cannot get a

license until that is completed and approved. He stated he has had contact with the Respondent and her daughter. He stated there is an old lien on the property that is holding up the process.

Mr. Jackson stated the case is whether they have a rental license.

There was discussion regarding a fine and it was determined that a fine is not the appropriate action at this time.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 12 - CEB 06-20-130 - Blondell Smith Fennell is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.2.H.7.a.i, at **1056 Kennedy Rd.** Violation(s) – Boat parking in driveway. First Notified – 7/1/2019.

Courtney Niell and Joe Smith came forward and were sworn in.

Mr. Stenson stated the case was field-generated and there is an inoperable trailer and boat parked in the driveway. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. Smith stated there are cans in the boat and the trailer has air in the tires.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 13 - CEB 06-20-112 - Frederick Hoffmann, Trustee of the Sarolea Trust is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7), at **882 E Coquina Dr.** Violation(s) – Unmaintained landscaping, damaged roof (fascia boards), peeling paint and damaged gutters. First Notified – 2/21/2020.

Mr. Frederick Hoffmann came forward and was sworn in.

Mr. Stenson stated the violations and asked for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. Hoffman asked for a roll call of the members present.

Mrs. Keundig asked the respondent if he lives there.

Mr. Hoffman objected.

Mrs. Kuendig referred to the pictures on the screen.

Mr. Jackson asked Mr. Hoffmann if he was raising due process issues here today.

BOARD ACTION: Ms. Robey motioned to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 5-0.

Mr. Cino left the Chamber at 10:37 a.m.

CASE # 14 - CEB 06-20-111 - Margaret Moore is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **437 Lockhart St.** Violation(s) – Unmaintained landscaping and damaged roof. First Notified – 11/27/2019.

Respondent was not present.

Mr. Stenson stated a tree limb fell on the house and he has had no contact except later on with the tenant. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated the property is occupied by the son of the owner.

Mr. Cino returned to the Chamber at 10:40 a.m.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 15 - CEB 07-20-105 - Matthew Black Jr is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (ref. FBC Supp. IPMC 302.7), at **453 Lockhart St.** Violation(s) – Parking in yard, damaged fencing. First Notified – 11/18/2019.

Mr. Percy Black came forward and was sworn in.

Mr. Stenson stated the case was the result of a code walk. He stated it is the fence and parking. He stated if there is no fence, it is not an issue.

Mr. Black stated the fence is getting fixed and the car is no longer there.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 16 - CEB 07-20-109 - Myra J Haddock is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.3, 304.6, 304.7, 304.13), at **102 Hibiscus Dr.** Violation(s) – No permit, landscaping, outside storage, parking in yard, damaged fencing, address numbers, exterior walls, roof damage, broken/boarded windows. First Notified – 4/2/2020.

Mr. William Bieson came forward and was sworn in.

Mr. Stenson stated the complaint was the Respondent was working without permits. He stated the Respondent has an active permit for the interior but no permit for the exterior.

Mrs. Kuendig asked if they live there.

Mr. Bieson stated her daughter lives with her. He stated he got a permit for the tree and they are remodeling the interior to add about 700 square feet.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 17 - CEB 06-20-129 - Naomi Brown is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.6, 304.7, 304.12, 304.13, 304.15), at **644 Division St.** Violation(s) – Landscaping, outside storage, damaged fencing, exterior walls, damaged roof, handrails, windows, exterior doors. First Notified – 3/17/2020.

Respondent was not present.

Mr. Stenson stated the case started from a City Hall complaint. He stated he has had little contact with the Respondent but they are making progress. He stated the grass has been cut and the vehicle is gone so they are working on it. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 18 - CEB 07-20-92 - Paulette Brother Finch is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3), at **2311 S Halifax Dr.** Violation(s) – Peeling paint, lack of address numbers. First Notified – 3/9/2020.

Respondent was not present.

Mr. Harrington left the Chamber at 11:00 a.m.

Mr. Stenson stated the Respondent has moved the junk vehicle and is asking for a finding of Non-Compliance and the September cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 4-0.

CASE # 19 - CEB 06-20-128 - Sybil Redhead Est is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.3.4.S; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.6, 304.13, 305.3, 603.1, 604.3.2.1, 605.1, 704.2), at **113 Azalea Dr.** Violation(s) – No permits, junk vehicle, exterior surfaces, broken windows, interior surfaces, hot water heater, light fixtures, electrical wiring, no smoke detectors. First Notified – 3/13/2020.

Respondent was not present.

Mr. Harrington returned to the Chamber at 11:02 a.m.

Mr. Stenson stated the case started from a tenant complaint. He stated the property was posted and the owners have made little progress. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated there is a chain of title issues.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-1 with Mr. Harrington voting no.

CASE # 20 - CEB 07-20-127 - Rabetu Abel & Abdul-Azeez Musa is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **1038 Imperial Dr.** Violation(s) – Outside storage, parking in front yard, junk vehicles. First Notified – 5/12/2020.

Rabetu Abel came forward and was sworn in. Mr. Stenson stated this was a portal complaint and the case has drug along. He stated the property remains in Non-Compliance.

Mr. Abel stated he had an opportunity out of state and the tenants didn't pay. He stated he needs more time due to health care concerns and he can't file an eviction.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

Mr. Kuendig called for a break at 11:05 a.m.

The meeting resumed at 11:15 a.m.

CASE # 21 - CEB 06-20-124 - Amvet Post 100 Cherry Branch is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.7, 304.15, 308.1, 604.3.2.1), at **526 Orange Ave.** Violation(s) – Fire damaged roof, doors, structural members and electrical fixtures/equipment. First Notified – 8/1/2019.

Respondent was not present.

Ms. Kirk stated there was a fire in May of 2019. She stated the certified mail came back signed an she was contacted once about a year ago that they would repair the building. He stated two permits have been issued to repair and fix but no work has been done. She stated she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 22 - CEB 06-20-122 - Anthony M and Lynnette Y Brown is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **1271 Vine St.** Violation(s) – Dilapidated roof. First Notified – 4/1/2019.

Mr. Anthony Brown and Ms. Lynnette Brown came forward and were sworn in.

Ms. Kirk stated the property was noticed in April and the owners signed the Certified Mail. He stated there was damage to the roof from a hurricane. She stated she was in contact with the owner but they have no funds to fix the violation and said they would demolish the house. She stated no demolition permit has been issued.

Mr. Brown stated the property was damaged by the storm and he received no help from the Mortgage Company. He stated he had recently found a buyer for the property and is waiting on a closing date.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 23 - CEB 06-20-143 - Christina Ramdoolar is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **410 5th Ave.** Violation(s) – Address numbers, dirt & grime, dilapidated porch. First Notified – 10/18/2019.

Respondent was not present.

Ms. Kirk stated the case started from a code walk and she had to post the property. She stated the property appraiser's website has a new address. She stated she tried to call the respondent but her mailbox was full. She stated she is asking for a finding of Non-Compliance and next cutoff to come in to Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 24 - CEB 06-20-144 - Helen G Parker, Anne C Baxter, Rose E Jenkins, Larry Gilchrist Estate, Wade Gilchrist, Edward C Gilchrist, Anthony Gilchrist, Voncile Gilchrist is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6), at **456 S Caroline St.** Violation(s) – Broken/boarded windows, peeling paint, crumbling exterior wall. First Notified – 5/28/2019.

Respondent was not present.

Ms. Kirk stated she was in contact with Helen Parker and received a letter from the attorney. She stated the property is vacant.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Robey seconding. Motion was approved 5-0.

CASE # 25 - CEB 07-20-107 - Jasmine Lindermann etal & Stephen Lindermann is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3, 304.6, 304.14), at **575 South St.** Violation(s) – Rotted wood, dirt & grime, parking in yard and outside storage. First Notified – 2/28/2020.

Respondent was not present.

Mr. Kirk stated she posted the property and has had no contact with the Respondent. She stated she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 27- CEB 06-20-145 - Samuel L & Rhonda P Ferguson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **521 Division St.** Violation(s) – Junk vehicle, broken windows, dirt & grime, peeling paint. First Notified – 1/29/2020.

Rhonda P Ferguson came forward and was sworn in.

Ms. Kirk stated the case started as a compliant. She stated he had verbal contact with the Respondent and he is working on the property. She stated she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 28 - CEB 06-20-104 - Bruce Anna TRS & Bernice M Jackson Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **229 Fulton St.** Violation(s) – Damaged concrete fence/retaining wall. First Notified – 7/19/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated the case started from a code walk and he has contact with the

Respondent. He stated the Respondent lives out of town and is a federal employee. He stated he is trying to get the retaining wall fixed.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 29 - CEB 06-20-131 - Celeste Slater, Verlinda Johnson, Shirley Johnson, Donnell Slater, Patricia Slater, Henry Lee Slater & Cynthia Slater is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.1, 304.2, 304.3, 304.6, 304.7), at **325 Fulton St.** Violation(s) – No address numbers, damaged fascia, soffits, damaged exterior surface, unpainted surfaces, discolored area, outside storage. First Notified – 7/19/2019.

Cynthia Slater came forward and was sworn in.

Mr. Garcia stated the case started from a code walk. He stated he has contact with the Respondent and the property was posted. He stated it is occupied and has no address numbers.

Ms. Slater stated that her brother Henry lives in the house and he just needs to know what needs to be done.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 30 - CEB 06-20-102 - Charles J Slappy is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 308.1), at **322 Fulton St.** Violation(s) – Outside storage, broken window & rubbish & garbage. First Notified – 8/23/2019.

Charles J Slappy came forward and was sworn in.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated the case started from a code walk and there were numerous complaints.

Mr. Slappy stated he is disabled and has gotten compliments. He stated if the City will put in grass, he will remove the carpet.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 31 - CEB 06-20-154 - Gradie Henderson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.3, 304.6, 304.13, 605.1), at **843 Berkshire Rd.** Violation(s) – Rotted wood, house

numbers, broken window, unsecured light fixture, trash & debris, missing trim, overgrowth onto sidewalk. First Notified – 3/13/2020.

Respondent was not present.

Mr. Garcia stated the case started with a code walk and he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he has had no contact and the property was posted. He stated no one lives there.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 32 - CEB 07-20-100 - Issa A Abutouq is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **495 Kingston Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 7/18/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff. He stated he has had no contact with the Respondent and the car is parked too close to the train track.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 33 - CEB 06-20-118 - James D Walton is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **160 Pierce Ave.** Violation(s) – Peeling paint and stains on exterior. First Notified – 6/18/2019.

Mr. James Walton came forward and was sworn in.

Mr. Garcia stated the case was field-generated and the property was fire damaged. He stated he spoke to the owner one time. He stated the property is still in Non-Compliance with peeling paint and stains from the fire.

Mr. Walton stated the paint is not peeling and that it needs to be pressure washed. He stated it needs new stucco and that the fireman did it.

Mr. Garcia stated the soffits are peeling.

Mr. Walton agreed.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 34 - CEB 06-20-119 - Jose Rivera Est, Angel L Rivera Est & Victoria L Rivera is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 304.10), at **224 San Juan Ave.** Violation(s) – Damaged roof, peeling paint, unlevelled steps and outside storage. First Notified – 5/20/2019.

Mr. Paul Rivera and Adel Rivera came forward and were sworn in.

Ms. Rivera stated the owners were their sister's uncle and husband.

Mr. Garcia stated the case started as complaint from the City. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he has had no contact with the Respondent and the notice was signed by the person residing on the property who is Carlos, one of the owners.

Ms. Rivera stated they had cleaned up the outside storage and her brother is coming to fix the rest.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 35 - CEB 06-20-132 - Marguerite Waters is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **315 Fulton.** Violation(s) – Dirty fence. First Notified – 7/19/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he has had contact with the owner and the fence just needs to be pressure washed.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 36 - CEB 06-20-141 - Minnie L & Harvey King is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2), at **236 Fulton.** Violation(s) – Damaged fence, peeling paint. First Notified – 8/23/2019.

Ms. Corretta King, daughter, came forward and was sworn in.

Mr. Garcia stated there had been no progress and that Mr. King shook his hand and told him it would be done.

Ms. King stated progress has been made and she went to the permit office. She stated she does not work and takes care of her mother.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 37 - CEB 06-20-148 - Quentin E Radcliffe is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **247 Fulton St.** Violation(s) – Parking on unapproved surfaces. First Notified – 7/20/2019.

Mr. Quentin Radcliffe came forward and was sworn in.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated he has had no contact with the Respondent and the case originated on a code walk.

Mr. Radcliffe stated he advocates Community Development get a speed bump.

Mrs. Kuendig stated the Board does not make the rules but interprets them.

Mr. Gonzalez asked about the lot with the water.

Mr. Radcliffe stated that was his lot.

Mr. Jackson stated Mr. Radcliffe can seek out solutions.

Mr. Radcliffe stated that wood chips are paving.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 38 - CEB 06-20-123 - Richard T Hayden Est is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **115 Congress Ave.** Violation(s) – No renovation permit. First Notified – 12/11/2019.

Respondent was not present.

Mr. Garcia stated the Attorney for the Estate had sent a letter requesting 90 days. He stated he issued a Stop Work Order and is waiting for a new owner.

Captain Lee stated three months is too long.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Ms. Hymes seconding. Motion was approved 4-1 with Mr. Harrington voting no.

CASE # 39 - CEB 07-20-108 - Robert & Katrina Hart is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.1,

305.3, 305.4, 305.5, 305.6, 605.1), at **324 Michigan Ave.** Violation(s) – No permits, exposed wires, damaged interior doors and assembly, damaged interior walls, no smoke detectors, peeling paint, damaged steps. First Notified – 10/22/2019.

Respondent was not present.

Mr. Garcia stated he has contact with the Respondent and July 14th was the last inspection.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 40 - CEB 07-20-138 - Ramon A. & Cassandra F. Culver is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at **345 Taylor Ave (vacant lot parcel # 5338-38-00-0460)**. Violation(s) – Overgrown grass & weeds. First Notified – 12/3/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent in Non-Compliance and allow the respondent until September 2, 2020 to come into Compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

Mrs. Kuendig asked for any miscellaneous business.

Mr. Garcia stated there was one more respondent that wanted to be heard. He stated the property is in Compliance and he is asking for a will-fine.

Mr. Gonzalez made motioned to accept case #41 on the property at 548 Tanglewood. **The motion was seconded by Ms. Robey. Motion was approved 4-1 with Mr. Harrington voting no.**

Mr. Matthew Larsen came forward and was sworn in. He stated he is looking for clarification as to where he can park. He stated his car in the picture is parked in his neighbor's drive.

There was further discussion as to where he can park and that there was previously parking but a structure had been built.

Mr. Jackson stated the City is looking for a finding of Non-Compliance/Compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the Respondent previously in Non-Compliance and now in Compliance and for any repeat violations may be returned to the Board for consideration of a fine up to \$5,000 per occurrence. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

Mr. Gonzalez asked since the Governor signed the FEMA disaster declaration were fines affected.

Mr. Jackson stated it is considered but not affected.

The meeting was adjourned at 12:56 p.m.