

**CITY OF EDGEWATER
CITIZEN CODE ENFORCEMENT BOARD**

Thursday September 11, 2008

2:00 P.M.

COMMUNITY CENTER

MINUTES

CALL TO ORDER

Chairperson Linda Johnson called the regular meeting of the Citizen Code Enforcement Board to order at 2:02 PM in the Community Center.

ROLL CALL

Members present: Linda Johnson, Ben Delnigro, Alice Haldeman, Glenn Barnhill, Ed Corn, Larry Leaf and Ben Wagner. Also present were Code Officer Mike McGrath, Code Supervisor Angela DeSue, Code Officer Robin Bell, Acting Fire Chief Steve Cousins and Recording Secretary Shontella Jackson.

APPROVAL OF MINUTES

The Minutes for the regular meeting of August 14, 2008 were presented to the Board for approval. **MOTION by Ed Corn, SECOND by Larry Leaf to adopt the minutes of Regular Citizen Code Enforcement Board on August 14, 2008 as written. MOTION CARRIED UNANIMOUSLY.**

SWEARING IN OF WITNESSES:

Code Office Robin Bell, Code Officer Mike McGrath and Code Supervisor Angela DeSue were sworn.

CASES IN COMPLIANCE:

Code Supervisor Angela DeSue stated that the following case(s) are in compliance as of September 11, 2008: Case #2008-CE-101310 A, B, & C, 2529 Travelers Palm Dr., Edgewater, Florida; John M. & Angel J. Capo. Violation of Section 21-35.04 – Neglected premise. Violation of Section – 21-34.04 – Inoperable vehicle. Violation of Section 21-34.06 – Watercraft/trailer. Case #2008-CE-8052 1872 Umbrella Tree Dr., Edgewater, Florida; John T. & Angela S. Gerson. Violation of Section – 21-35.04 - Neglected premise.

NEW BUSINESS:

Case #2008-CE-7070, 502 Eaton Rd., Edgewater, Florida; Robert W. Medeiros. Violation of Section 21-56.03 – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Robert W. Medeiros in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. No one was present to testify. This case was worked and managed by Officer Mike McGrath.

MOTION by Ben Wagner, SECOND by Ed Corn that the Board finds Robert W. Medeiros in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past September 12, 2008 also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. MOTION CARRIED UNANIMOUSLY.

Case #2008-CE-7016, 1703 Edgewater Dr., Edgewater, Florida; Dakarr Thorsson. Violation of Section 21-56.03 (b) – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Dakarr Thorsson in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. No one was present to testify. This case was worked and managed by Officer Mike McGrath. The Board had a brief discussion.

MOTION by Alice Haldeman, SECOND by Ed Corn that the Board finds Dakarr Thorsson in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY.

Case #2008-CE-8022, 920 Lake Ave., Edgewater, Florida; Mark W. & Dawn Chenault. Violation of Section 21-35.03 – Commercial vehicle.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Mark W. & Dawn Chenault in violation of Section 21-35.03 of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. No one was present to testify. This case was worked and managed by Officer Mike McGrath. **MOTION by Ed Corn, SECOND by Ben Wagner that the Board finds Mark W. & Dawn Chenault in violation of Section 21-35.03 of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-101389; 2604 35th St., Edgewater, Florida; Deutsche Bank Natl. Tr. Co. Trust Violation of Section 21-56.03 (b) – Property maintenance. Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Deutsche Bank Natl. Tr. Co. Trust in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. No one was present to testify. This case was worked and managed by Officer Mike McGrath. Officer McGrath stated that the grass was cut today, September 11, 2008. The Board had a brief discussion. **MOTION by Ben Wagner, SECOND by Ed Corn that the Board finds Deutsche Bank Natl. Tr. Co. Trust in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-101390; 3433 Vista Palm Dr., Edgewater, Florida; Countrywide Home Loans. Violation of Section 21-56.03 (b) – Property maintenance. Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Countrywide Home Loans in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 17, 2008; also for a lien to be placed on the property if not satisfied by September 12, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by city staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Mike McGrath. No one was present to testify. The Board had a brief discussion. **MOTION by Ed Corn, SECOND by Glenn Barnhill in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of**

\$50.00 per day for each day the violation exists past September 12, 2008 also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. MOTION CARRIED UNANIMOUSLY.

Case #2008-CE-7065 (A), 2412 Unity Tree Dr., Edgewater, FL. Thomas E. & Lois V. Tipton. Violation of Section 21-56.03 (b) – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Thomas E. & Lois V. Tipton in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 17, 2008; also for a lien to be placed on the property if not satisfied by September 12, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by city staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Mike McGrath. Officer McGrath presented an additional photograph marked exhibit A taken on July 22, 2008 for the Board to review. No one was present to testify. The Board had a brief discussion.

MOTION by Ed Corn, SECOND by Ben Wagner that the Board finds Thomas E. & Lois V. Tipton in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by city staff if the violation is not corrected by September 12, 2008 and a lien to be placed on the property. MOTION CARRIED UNANIMOUSLY.

Case #2008-CE-7065 (B), 2412 Unity Tree Dr., Edgewater, FL. Thomas E. & Lois V. Tipton. Violation of Section 21-35.04 – Neglected premise.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Thomas E. & Lois V. Tipton in violation of Section 21-35.04 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be

placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the removal of the trees by city staff if the violation is not corrected by September 17, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Mike McGrath. No one was present to testify. The Board had a brief discussion. **MOTION by Ed Corn, SECOND by Larry Leaf that the Board finds Thomas E. & Lois V. Tipton in violation of Section 21-35.04 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the removal of the trees by city staff if the violation is not corrected by September 12, 2008 and a lien to be placed on the property. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-7103, 2404 Mango Tree Dr., Edgewater, FL. Gerald & Mildred Charles. Violation of Section 21-56.03 (b) – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Gerald & Mildred Charles in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past September 12, 2008 also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Mike McGrath. Officer McGrath stated that the certified mail came back unclaimed. No one was present to testify. The Board had a brief discussion. **MOTION by Alice Haldeman, SECOND by Ben Wagner that the Board finds Gerald & Mildred Charles in violation of Section 21-56.03 (b) of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008, 2008 and that a lien is placed on the property. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-7064 (A), 2322 Hibiscus Dr., Edgewater, FL. James C. Gamble. Violation of Section 21-56.03 – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find James C. Gamble in violation of Section 21-56.03 of the Land Development Code and assess the citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the property maintenance violation exists past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. No one was present to testify. This case was worked and managed by Officer Robin Bell. Officer Bell provided a black and white photography labeled exhibit B for the Board to review. The Board had a brief discussion. **MOTION by Ben Wagner, SECOND by Ed Corn that the Board finds James C. Gamble in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY**

Case #2008-CE-7064 (B), 2322 Hibiscus Dr., Edgewater, Florida; James C. Gamble. Violation of Section 21-36.03 – Outdoor storage.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find James C. Gamble in violation of Section 21-36.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008, and for a lien to be placed on the property if not satisfied by September 17, 2008. This case was worked and managed by Officer Robin Bell. No one was present to testify. The Board had a brief discussion. **MOTION by Larry Leaf, SECOND by Glenn Barnhill that the Board finds James C. Gamble in violation of Section 21-36.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-7068, 2329 Sabal Palm Dr., Edgewater, Florida; Vincent Maschin. Violation of Section 21-56.03 – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Vincent Maschin in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended

that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Robin Bell. No one was present to testify. The Board had a brief discussion. **MOTION by Alice Haldeman, SECOND by Ben Wagner that the Board finds Vincent Maschin in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-7066, 2912 Woodland Dr., Edgewater, Florida; US Bank Natl. Assoc. Tr. C/O HomeQ Servicing. Violation of Section 21-56.03 – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find US Bank Natl. Assoc. Tr. C/O HomeQ Servicing in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. This case was worked and managed by Officer Robin Bell. No one was present to testify. The Board had a brief discussion. **MOTION by Ed Corn, SECOND by Larry Leaf that the Board finds US Bank Natl. Assoc. Tr. C/O HomeQ Servicing in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by September 17, 2008. MOTION CARRIED UNANIMOUSLY.**

Case #2008-CE-7096, 3004 Pine Tree Dr., Edgewater, Florida; John P. & Patricia A. Casey. Violation of Section 21-56.03 – Property maintenance.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find John P. & Patricia A. Casey in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by city staff if the violation is not corrected by September 12, 2008 and that a lien is placed on the property. This case was worked and managed by Officer Robin Bell. No one was present to testify. The

Board had a brief discussion. **MOTION by Ben Wagner, SECOND by Ed Corn that the Board finds John P. & Patricia A. Casey in violation of Section 21-56.03 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by city staff if the violation is not corrected by September 12, 2008 and a lien to be placed on the property. MOTION CARRIED UNANIMOUSLY**

Case #2008-CE-7096 (A), Parcel #8402-01-08-0690, Edgewater, Florida; Jane Church. Violation of Section 10-2 – City water supply.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Jane Church in violation of Section 10-2 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past September 12, 2008 and for a lien to be placed on the property if not satisfied by September 17, 2008. This case was worked and managed by Officer Robin Bell. No one was present to testify. The Board had a brief discussion.

MOTION by Ed Corn, SECOND by Glenn Barnhill that the Board continues until the next board meeting when the Board has legal counsel. MOTION CARRIED UNANIMOUSLY.

Case #2008-CE-7096 (B), Parcel #8402-01-01-0690, Edgewater, Florida; Jane Church. Violation of Section 10-80 – Sanitary disposal methods.

Code Supervisor Angela DeSue presented the case summary to the Board. Code Supervisor Angela DeSue presented staff's recommendation to find Jane Church in violation of Section 10-80 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exist past September 12, 2008; also for a lien to be placed on the property if not satisfied by September 17, 2008. This case was worked and managed by Officer Robin Bell. No one was present to testify. The Board had a brief discussion.

MOTION by Ed Corn, SECOND by Ben Wagner that the Board continues until the next scheduled meeting when legal counsel is here to advise the Board. MOTION CARRIED UNANIMOUSLY.

Election of Chairman and Co-Chairman:

Linda Johnson was nominated for Chairwoman by Ben Wagner. No other nominees were presented.

MOTION by Ben Wagner, SECOND by Ed Corn to re-elect Linda Johnson as Chairwoman of the Citizen Code Enforcement Board. MOTION CARRIED UNANIMOUSLY.

Ben Delnigro was nominated by Linda Johnson for Co-Chairman. No other nominees were presented.

MOTION by Linda Johnson, SECOND by Larry Leaf to re-elect Ben Delnigro as Co-Chairman of the Citizen Code Enforcement Board. MOTION CARRIED UNANIMOUSLY.

Code Enforcement Board Attorney and date of board meetings:

After a brief discussion the Board decided they would like to keep the meetings on the second Thursday of each month and would like for the City to do a RFP for a Board Attorney since the attendance and time worked well for the existing Board members.

OLD BUSINESS/CONTINUED:

None.

CODE COMPLIANCE REPORT:

None.

PUBLIC COMMENT:

None.

BOARD DISCUSSION:

None.

ADJOURNMENT

Chairperson Linda Johnson adjourned the meeting at 3:31 pm.

Next Meeting scheduled for October 9, 2008 at 2 p.m.

Minutes respectfully submitted by,
Shontella Jackson
Board Coordinator