

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, August 13, 2008
6:00 P.M., Florence K. Little Town Hall
12 Colomba Road, DeBary, Florida

MINUTES

CALL TO ORDER

Chairman Don Pulver called the meeting to order at 6:02 P.M.

ROLL CALL

Present: Chairman, Don Pulver present
Gail Prysok present V.C., John Harvey absent - excused
Marcia Becker present William Brydges absent – excused
Nicholas Koval (alt) present Robert Rini absent – excused
Rick Dwyer present Gertrude DeSantis (alt) absent - unexcused

City Staff: Assistant City Attorney, Dan Langley
Neighborhood Improvement Officer, Dave Hooker
Staff Secretary, Shanna Hawkins

AGENDA CHANGES

No changes to the agenda.

DISCLOSURE OF EX-PARTE COMMUNICATIONS

No ex-parte communications.

Witnesses Sworn In:

Staff Secretary, Shanna Hawkins, swore in all witnesses who intended to testify.

Approval of Minutes

Motion made by Mr. Dwyer to approve July 9, 2008 minutes, seconded by Ms. Becker motion passes unanimously.

CONSENT AGENDA:

- (1) **Case No. 07-015-H** Daniel Cook
245 Largo Vista Street
Order of Compliance – 08/13/08 - Fine amount due \$0.00

- (2) **Case No. 08-086-H** - Helen Susan Urban
9 Cassia Lane
Order of Compliance – 08/13/08 - Fine amount due \$0.00

Motion made by Ms. Becker to approve consent agenda, seconded by Mr. Dwyer motion passes unanimously.

OLD BUSINESS:

- (2) **Case No. 08-093-H** - “Shamrocks”

JTC Commercial LLC

75 S. Hwy 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence addition case file documentation and pictures of the violations cited, as well as, provided the requested opinion of the City Of DeBary Council of the cited sections of code. Ted Cranias was present and provided testimony in this case. Discussion ensued between board members, attorney, Mr. Cranias and staff regards to the status of the property. Mr. Langley entered into evidence a copy of the minutes from the City Council meeting on June 18, 2008.

Motion made by Ms. Becker to dismiss the case due to no business being operated. Seconded by Mr .Koval. Motion passes unanimously.

NEW BUSINESS

- (1) **Case No. 08-054-H** - **Nina M. Robichaud**

c/o Paul Robichaud

43 S. Hwy 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker requested that this case be continued till the September 10, 2008 meeting.

- (2) **Case No. 08-112-H** - **William Scott Harrison**

34 Fern Crest Drive

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents. No one was present to provide testimony in this case. Discussion ensued between board members and staff regards to the case.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and give the owner 30 days to come into compliance. Failure to do so will result in a one time fine of \$50 to be imposed. Seconded by Mr. Koval. Motion passes 3-2, Pulver & Becker opposed.

- (3) **Case No. 08-214-H** - **William Headrick (REPEAT VIOLATION)**

42 Narcissus Drive

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the repeat violation. Barney Headrick, father to William Headrick, was present and provided testimony in this case on behalf of the property owners. Discussion ensued between board members, staff, and representative regards to the cited violations.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code. A one time fine of \$300 is imposed immediately for the repeat violation. In addition

the owner has 14 days to come into full compliance. Failure to do so will result in an additional fine of \$100 per day until compliance is achieved. Seconded by Ms. Prysok. Motion passes unanimously.

(4) **Case No. 08-217-H** - **Vionette Vazquez**

463 M. Pine Meadow Drive

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the cited violations. No one was present to provide testimony in this case on behalf of the property owners. Discussion ensued between board members and staff regards to the cited violations.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and ordered the City Of DeBary to maintain the property in accordance to the aforementioned sections of code pertaining to the lot maintenance. A fine of \$125 is to be imposed each time the City maintains the property. Seconded by Mr. Koval. Motion passes 4-1, Prysok opposed.

Motion made by Mr. Dwyer to re-consider previous motion. Seconded by Ms. Becker. Motion passes unanimously.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and ordered the City Of DeBary to maintain the property in accordance to the aforementioned sections of code pertaining to the lot maintenance. A fine of \$200 is to be imposed each time the City maintains the property. Seconded by Mr. Koval. Motion passes unanimously.

(5) **Case No. 08-215-H** - **Joshua & Linda Belt**

118 Sunrise Blvd.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the cited violations. No one was present to provide testimony in this case on behalf of the property owners. Discussion ensued between board members and staff regards to the cited violations.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and ordered the City Of DeBary to maintain the property in accordance to the aforementioned sections of code pertaining to the lot maintenance. A fine of \$200 is to be imposed each time the City maintains the property. Seconded by Mr. Koval. Motion passes unanimously.

(6) **Case No. 08-224-H** - **Bette Jane Sandler (REPEAT VIOLATION)**

37 Plantation Road

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the repeat violation. Bette Jane Sandler was present and provided testimony in this case. Discussion ensued between board members, staff, and representative regards to the cited violations.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code. A one time fine of \$300 is imposed immediately for the repeat violation. Seconded by Mr. Koval. Motion passes 4-1, Ms Becker opposed.

(7) **Case No. 08-157-H - Inez S. Owens**

332 Gardenia Avenue

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the cited violations. Richard Bentley, 334 Gardenia Ave., was present and provided testimony in regards to this case. Discussion ensued between board members and staff regards to the cited violations.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and ordered the City Of DeBary to maintain the property in accordance to the aforementioned sections of code pertaining to the lot maintenance. A fine of \$200 is to be imposed each time the City maintains the property and recommend that the City proceed with foreclosure proceedings. Seconded by Mr. Koval. Motion passes unanimously.

Mr. Langley stated that the City has already reviewed the case in regards to possible foreclosure.

(8) **Case No. 08-227-H - Jesus Tacoronte**

35 Alicante Road

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the cited violations. No one was present to provide testimony in regards to this case. Discussion ensued between board members and staff regards to the cited violations and that the City has already enclosed the swimming pool due to the life safety issue.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code and ordered the City Of DeBary to maintain the property in accordance to the aforementioned sections of code pertaining to the lot maintenance. A fine of \$200 is to be imposed each time the City maintains the property. Additionally imposed a one time fee on \$977 immediately for the securing of the swimming pool. Seconded by Mr. Koval. Motion passes unanimously.

GOOD FOR THE ORGANIZATION

A. As entertained by the Chairman –

- (1) Requested staff to bring the suggestion to the City Council to encourage the community to help each other.

B. As entertained by the Board – None

C. As entertained by the Staff –

- (1) Discussed proposed Bylaws to be brought back to the Board for review on September 10, 2008.

D. As determined by the City Attorney –

(1) Discussed possible foreclosure updates.

E. Tally Sheets – Accepted

ADJOURNMENT

The meeting adjourned at 7:47 p.m.

**APPROVED SEPTEMBER 10, 2008
CITY OF DeBARY
CODE ENFORCEMENT BOARD**

**Don Pulver
Chairman**