

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, October 8, 2008
6:00 P.M., Florence K. Little Town Hall
12 Colomba Road, DeBary, Florida

MINUTES

CALL TO ORDER

Vice Chairman John Harvey called the meeting to order at 6:00 P.M.

ROLL CALL

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

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 September 10, 2008 minutes, seconded by Ms. Prysok motion passes 5-1, Ms. DeSantis abstained.

CONSENT AGENDA:

- (1) **Case No. 08-081-H - John T. Cumberledge**
16 River Bluff Trl.
Order of Compliance – 10/08/08 - Fine amount due \$0
- (2) **Case No. 08-089-H - Jeffery W. Christen A. Boals**
138 Verona Rd.
Order of Compliance – 10/08/08 - Fine amount due \$0

- (3) **Case No. 08-140-H - Sara & Lance Moore**
32 Valencia Cir.
Order of Compliance – 10/08/08 - Fine amount due \$0
- (4) **Case No. 08-083-H - William W. & Gayle B. Austin**
245 Lucerne Dr.
Order of Compliance – 10/08/08 - Fine amount due \$5,500.00
- (5) **Case No. 07-189-H - Yvette Schiebel**
5 Palmira Rd.
Order of Compliance – 10/08/08 - Fine amount due \$19,300.00
- (6) **Case No. DEB-06-007 Thomas M. & Cheryl L. Henry**
87 S. HWY 17-92
Order of Compliance – 10/08/08 - Fine amount due \$38,700.00

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

OLD BUSINESS: None

NEW BUSINESS

- (1) **Case No. 07-296-H - Jane Bromwich**
214 Valencia Rd.
Neighborhood Improvement Officer – Dave Hooker
Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures. No one was present to represent the property owners. Discussion ensued between board members and staff regards to the case.
Motion made by Mr. Dwyer; 1st part of motion; to find the owner in non-compliance of the cited sections of code and gave the owner no later than October 18, 2008 for the violation of the unsecured swimming pool and outdoor storage to come into compliance. Failure to do so will result in a fine of \$100 per day to be imposed. Second part of motion; to find the owner in non-compliance of the cited sections 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. Rini. Motion passes unanimously.
- (2) **Case No. 08-199-H - Bjorn E. & Nancy L. Haufe**
121 Azaleia Rd.
Neighborhood Improvement Officer – Dave Hooker
Mr. Hooker requested that this case be continued till the February 11, 2009 meeting.
Motin made by Mr. Dwyer to continue the case till requested date. Mr. Harvey seconded. Motion passes unanimously.

(3) **Case No. 08-203-H - Benedickt & Jane Tharna**

27 Smyrna Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violation. No one was present to represent the property owners. Discussion ensued between board members and staff.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code. In addition the owner has 30 days to come into full compliance. Failure to do so will result in a fine of \$100 per day to be imposed. Seconded Mr. Koval. Motion passes 5-1, Mr. Rini opposed.

(4) **Case No. 08-268-H - Allen Woodruff**

54 S. HWY 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and the repeat violations, and entered into evidence case file documents and pictures of the violation. Al Woodruff was present and provided testimony in regards to the efforts made to bring the property into compliance and keep it that way. Discussion ensued between board members, staff, and Mr. Woodruff.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code as a repeat violation on September 11, 2008, and a one time fee of \$100 to be imposed. Seconded by Mr. Rini. Motion passes unanimously.

(5) **Case No. DEB 06-007- Thomas & Cheryl Henry**

87 B S HWY 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violations sited. Thomas Henry was present and provided testimony in this case. Discussion ensued between board members, staff and Mr. Henry regards to the Request for Reduction or Waiver of Fine/Lien.

Motion made by Mr. Dwyer to recommend a reduction to the City Of DeBary Council for administrative cost only. Seconded by Mr. Rini. Motion passes unanimously.

(6) **Case No. 07-158-H - Michael Davy**

17 Poinsettia Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and entered into evidence case file documents and pictures of the violations sited. No one was present to provide testimony in this case. Discussion ensued between board members and staff regards to the Request for Reduction or Waiver of Fine/Lien.

Motion made by Mr. Dwyer to deny the request for a reduction / waiver of fine /lien. Seconded by Mr. Harvey. Motion passes unanimously.

GOOD FOR THE ORGANIZATION

A. As entertained by the Chairman – None

B. As entertained by the Board – None

C. As entertained by the Staff –

- (1) Discussed proposed Bylaws and corrections that need to be made prior to final approval of the Board. Staff will make said corrections and present them to the Board on November 12, 2008.

D. As determined by the City Attorney –

E. Tally Sheets – Accepted

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

**APPROVED NOVEMBER 12, 2008
CITY OF DeBARY
CODE ENFORCEMENT BOARD**

**John H. Harvey
Vice Chairman**