

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, February 11, 2009
6:00 P.M., City Hall
16 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		
	Robert Rini	present	Chairman, Don Pulver	absent _ excused
	Rick Dwyer	present	William Brydges	absent _ excused
	Marcia Becker	present	Nicholas Koval (alt)	absent – excused

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

ELECTION OF CHAIR AND VICE CHAIR

Mr. Pulver and Mr. Harvey were nominated for Chairman. All in favor for Mr. Pulver to retain Chairman. Mr. Harvey nominated for Vice Chairman. All in favor for Mr. Harvey to retain Vice Chairman.

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 approve December 10, 2008 minutes as corrected, seconded by Mr. Rini. Motion passes 4-1, Ms. Becker abstained.

CONSENT AGENDA:

- (1) **Case No. 08-057-H - Walter S. Davis**
8 Valencia Cir.
Order of Compliance – 02/11/09 - Fine amount due \$27,200.00

- (2) **Case No. 08-139-H - Emanuel & Mary Colonna**
8 Sunset Dr.
Order of Compliance – 02/11/09 - Fine amount due \$4,200.00
- (3) **Case No. 08-218-H - The Village of DeBary LLC**
c/o – Mildred Piper, Registered Agent
2955 Enterprise Rd.
Order of Compliance – 02/11/09 - Fine amount due \$0.00
- (4) **Case No. 07-022-H - Bette Jane Sandler**
37 Plantation Rd.
Order of Compliance – 02/11/09 - Fine amount due \$0.00
- (5) **Case No. 07-162-H - Beatrice Allen (Life Estate)**
609 S HWY 17-92
Order of Compliance – 02/11/09 - Fine amount due \$0.00
- (6) **Case No. 07-301-H - Jonathan P. Gillaspie**
220 Deleon Rd.
Order of Compliance – 02/11/09 - Fine amount due \$0.00
- (7) **Case No. 07-134-H - Timothy & Molly Hudson**
660 Summerhaven Dr.
Order of Compliance – 02/11/09 - Fine amount due \$43,400.00
- (8) **Case No. 08-192-H - Judy R. Schuler Trustee**
2 S US HWY 17-92
Order of Compliance – 02/11/09 - Fine amount due \$23,500.00
- (9) **Case No. 08-037-H - Mitchell Green**
12 S US HWY 17-92
Order of Compliance – 02/11/09 - Fine amount due \$23,500.00
- (10) **Case No. DEB-06-030 – Missionaries of Hope**
74 S US HWY 17-92
Order of Compliance – 02/11/09 - Fine amount due \$169,600.00

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

OLD BUSINESS:

- (1) **Case No. 08-265-H - Anne Walker & Carmela Iannarelli (JTRS)**
105 Estrella 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 violation. No one was present to represent the property owners. Discussion ensued between board members, attorney and staff. Discussion ensued between board members, staff and attorney.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code. In addition the owner has 10days to come into full compliance. Failure to do so will result in a fine of \$100 per day to be imposed. Seconded Ms. Prysok. Motion passes unanimously.

NEW BUSINESS

- (1) **Case No. 08-319-H - Daniel A. & Laurie Feller**
30 Wisteria 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 violation. Daniel Feller, owner, was present and testified on behalf of the property. Discussion ensued between board members, staff and Mr. Feller.

Motion made by Mr. Dwyer to find the owner in non-compliance of the cited section of code on February 3, 2009, and the property is now in compliance. Seconded Mr. Rini. Motion passes 4-1, Ms. Becker opposed.

- (2) **Case No. 08-339-H - Frank & Sherri Skerritt**
115 Highland Ave.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker requested the case be withdrawn from the agenda.

- (3) **Case No. 08-324-H - William R. Kogl**
156 Deleon Rd.

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 Ms. Prysok. Motion passes unanimously.

- (4) **Case No. 08-308-H - Joyce R. & Guerrieri & Rebecca J. Malba JTRS**
263 DeBary 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 Ms. Prysok. Motion passes

unanimously.

(5) **Case No. 08-044-H - Judy R. Schuler Trustee**

2 S US HWY 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and reviewed previous evidence entered. John Schuler was present requesting a reduction or waiver of fine/lien. Discussion ensued between board members, staff, and Mr. Schuler.

Motion made by Mr. Dwyer to reduce the fine/lien to administrative cost Seconded 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 – Discussion held on the changes to the paperless agenda and any changes that might be needed.

D. As determined by the City Attorney – None

E. Tally Sheets – Accepted

ADJOURNMENT

The meeting adjourned at 7:11 p.m.

**APPROVED March 11, 2009
CITY OF DeBARY
CODE ENFORCEMENT BOARD**

**John Harvey
Vice Chairman**