

CITY OF DeBARY
REGULAR CODE ENFORCEMENT BOARD MEETING
WEDNESDAY, March 11, 2009
6:00 P.M., City Hall
16 Colomba Road, DeBary, Florida

MINUTES

CALL TO ORDER

Chairman Don Pulver called the meeting to order at 6:00 P.M.

ROLL CALL

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

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

AGENDA CHANGES

Ms. Love took Oath of Office as an alternate member.

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. Rini to approve February 11, 2009 minutes, seconded by Mr. Dwyer. Motion passes unanimously.

CONSENT AGENDA:

- (1) **Case No. 08-112-H - William Scott Harrison**
34 Fern Crest Dr.
Order of Compliance – 03/11/09 - Fine amount due \$50.00

- (2) **Case No. 07-204-H - Dennis Schepker**
203 Margarita Rd.
Order of Compliance – 03/11/09 - Fine amount due \$17,350.00

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

OLD BUSINESS:

- (1) **Case No. 07-300-H - Stephen & Paula Vickery**
136 Colomba 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. Stephen & Paula Vickery were present and testified that attempts were made by them to hide the boat. Discussion ensued between board members, property owners and staff. Mr. Vickery entered 12 pictures of his property into evidence. Tom Shutler, from 134 Colomba Rd., was also present and provided testimony on behalf the property owners.

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 \$50 per day to be imposed. Seconded Ms. Prysok. Motion passes 5-2, Ms. Becker and Mr. Harvey opposed.

NEW BUSINESS

- (1) **Case No. 08-344-H - Lou Ann Gossett**
252 Grande Vista St.

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 \$50 per day to be imposed. Seconded Ms. Prysok. Motion passes unanimously.

- (2) **Case No. 08-341-H - John D. Bodkin**
137 Serena 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. John Bodkin was present and testified that a contract has been completed with a contractor to repair the structure. Discussion ensued between board members, staff and Mr. Bodkin.

Motion made by Mr. Dwyer to continue this case and bring back before the board in 2 months. Seconded Mr. Harvey. Motion passes 5-2, Ms. Becker and Mr. Rini opposed.

- (3) **Case No. 09-029-H - Wesley Edwards**
261 Ponce Ln.

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. Wesley Edwards was present and testified that he will remove the fence. Discussion ensued between board members, Mr. Edwards and staff.

Motion made by Mr. Rini to find the owner in non-compliance of the cited section of code. In addition the owner has 10 days to come into full compliance. Failure to do so will result in a fine of \$50 per day to be imposed. Seconded Mr. Dwyer. Motion passes unanimously.

- (5) **Case No. 09-039-H - Larry G. Whitted & Deborah Ann Koisa JTRS**
8 Lake 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. Earl Koisa was present and testified on behalf of the property owners, that he will be repairing the screen as soon as he receives his tax return. Discussion ensued between board members, Mr. Koisa 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 90 days to come into full compliance. Failure to do so will result in a fine of \$50 per day to be imposed. Seconded Mr. Rini. Motion passes unanimously.

- (6) **Case No. DEB 06-030 - Missionaries of Hope**
74 S. HWY 17-92

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and reviewed previous evidence entered. Matthew Gable, legal representation for the property owners, was present requesting a reduction or waiver of fine/lien. Discussion ensued between board members, staff, and Mr. Gable.

Motion made by Mr. Dwyer to recommend reduction of fine / lien. Seconded Mr. Rini. Motion passes 6-1, Mr. Harvey opposed.

- (5) **Case No. 08-139-H - Emanuel R. Colonna**
8 Sunset Dr.

Neighborhood Improvement Officer – Dave Hooker

Mr. Hooker gave staff report on said property and reviewed previous evidence entered. Emanuel Colonna and Kelly Colonna were present requesting a reduction or waiver of fine/lien. Discussion ensued between board members, staff, Mr. Colonna and Ms. Colonna.

Motion made by Mr. Dwyer to reduce the fine/lien to administrative cost. Seconded Mr. Rini. Motion passes unanimously.

GOOD FOR THE ORGANIZATION

- A. As entertained by the Chairman – suggestion was made that in the future staff provides a

picture of the front of the property from the street.

B. As entertained by the Board – Discussion of additional changes to be made to the paperless agenda packet and additional information to be included for requests for reductions.

C. As entertained by the Staff – None

D. As determined by the City Attorney – None

E. Tally Sheets – Accepted

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

**APPROVED April 8, 2009
CITY OF DeBARY
CODE ENFORCEMENT BOARD**

**Don Pulver
Chairman**