

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
December 16, 2008

The City of Bradenton Code Enforcement Board met in regular session on December 16, 2008 at 2:30 P.M. in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida.

ATTENDANCE

Code Enforcement Board Members (shaded area indicates excused absence):

Chairperson Jeff Ragan	Vice Chairperson Robert Grant	Gerald Fisher	Richard Coury	Al Youmans

Planning & Community Development	Code Enforcement	Fire	Police	Other
Ruth Seewer, Dev. Review Manager.	Volker Reiss, Compliance Manager Cheryl Landers, Barbara Hogan, F.A.C.E. Certified Code Officers			City Attorney Bill Lisch Attorney Bob Schermer

PRELIMINARIES

- 1) Meeting called to order by Chairperson Ragan at 2:37 p.m.
- 2) Member Coury made the motion to accept the minutes from November 18, 2008 as presented by staff. Seconded by Member Fisher. Motion carried 5-0.

- 3) The following persons were sworn in by Laura Anderson: Volker Reiss, Cheryl Landers, Barbara Hogan, Mark Runnals and John McCoy.

HEARINGS:

08-086 Estate of Rowena Ingram
Address: 702 19th Street East/DP#1295610008/Ward 5
Violation: Chapter 38, Section 38-81 from the City Code of Ordinances.

Volker Reiss, Compliance Manager stated that the property is in code compliance.

08-088 Jessie L. Moore/Neta Robinson
Address: 2115 9th Avenue East/DP#1341500104/Ward 5
Violation: Section 1, subsection A, parts 2 & 3 from Ordinance #2821.

Volker Reiss, Compliance Manager stated that the property is in code compliance.

08-089 John D. McCoy
Address: 1840 3rd Avenue East/DP#1235310008/Ward 4
Violation: Chapter 38, Section 38-82 from the City Code of Ordinances.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated the property was inspected on October 1, 2008. At that time staff observed abandoned vehicles in the yard. The Letter of Violation was received by the property owner on October 21, 2008. A re-inspection was done on November 5, 2008 and the abandoned vehicles remained. The Notice of Hearing was received by the property owner on November 17, 2008. Officer Runnals explained the violations through the photographs displayed. Staff recommends 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached.

Mr. John McCoy approached the Board; he asked how the vehicles were in violation. He stated that the vehicles are operable.

Mr. Reiss clarified the definition of Chapter 38, Section 38-82 from the City Code of Ordinances, stating that the vehicles are not to code.

Actions

Member Grant made the motion to find case #08-089 in violation of Chapter 38, Section 38-82 from the City Code of Ordinances. Seconded by Member Fisher. Motion carried 5-0.

Member Grant made the motion on case #08-089, giving the property owner 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached. Seconded by Member Fisher. After some discussion Member Fisher amended the motion to 30 days for code compliance. Seconded by Chairman Ragan. Motion failed 3-2. Member Coury requested that the vehicles be properly tagged and verified by staff. Chairman Ragan stated the original motion of 10 days for code compliance with a fine of \$75.00 per day until full compliance is reached is before the Board. Motion carried 4-1 with Chairman Ragan in opposition.

08-090 Church of God Prophecy
Address: 623 18th Street East/DP#1272800002/Ward 5
Violation: Sections 304.2, 605.1, 302.4, 504.1, 305.3, 704.1, 304.7,
Section 1, subsection A, parts 2 & 3, Section 1,
subsection B, part 3 from Ordinance #2821 and
Schedule 501.A from Ordinance #2627.

Mark Runnals, Code Enforcement Officer entered photographs into evidence. Officer Runnals stated the property was inspected on August 12, 2008. At that time staff found the exterior of the structure contains chipped and peeling paint, exposed electrical wires, outside light fixtures are missing bulbs and globes, overgrown yard, improperly installed plumbing fixtures, rotted bathroom walls, a day care center operating from home, no smoke detectors, exposed and rotted exterior wood, roof rafters in disrepair, and boarded windows. The Letter of Violation was sent to the property owner and returned unclaimed. The Letter of Violation was posted on the property and City Hall on October 1, 2008 and sent via first class mail. The property was re-inspected on November 6, 2008 and the violations remained. The Notice of Hearing was posted at the property and City Hall on November 17, 2008 and sent via first class mail. Officer Runnals explained the violations through the photographs displayed. Officer Runnals stated that the property owners have been working on the property, with some of the violations corrected, the remaining violations are the exposed electrical wires, the improperly installed plumbing fixtures, the roof rafters are in disrepair, the exterior of the structure has exposed and rotted wood and boarded windows. Staff recommends 30 days for code compliance with a fine of \$100.00 per day until full compliance is reached.

Actions

Member Coury made the motion to find case #08-090 in violation of Sections 605.1, 504.1, 304.7, Section 1, subsection A, parts 2 & 3 and Section 1, subsection B, part 3 from Ordinance #2821. Seconded by Member Grant. Motion carried 5-0.

Member Coury made the motion on case #08-090, giving the property owner 30 days for code compliance with a fine of \$100.00 per day until full compliance is reached. Seconded by Member Fisher. Motion carried 5-0.

08-091 LaSalle Bank National Association
Address: 6115 39th Avenue West/DP#5110850509/Ward 1
Violation: Section 303.1 from Ordinance #2821.

Volker Reiss, Compliance Manager stated that the property is in code compliance.

VI. OTHER BUSINESS:

07-064 Dana Hathorn
Address: 1632 Ballard Park Drive

Volker Reiss, Compliance Manager stated that the property owner requests a reduction or removal of the Order Imposing Penalty/Lien in the amount of \$10,035.50. Mr. Reiss stated that the property is now owned by American Home Mortgage Servicing Inc. and that the request was made by the realtor. Mr. Reiss read into record the document received by Ms. Smith which stated that the property is bank owned.

Mr. Reiss asked that the Board deny any reduction or removal.

Actions

Member Fisher made the motion to deny the request for reduction or removal of the lien. Seconded by Member Coury. Motion carried 5-0.

08-051 Delia Mejia/Antonio E. Novoa
Address: 921 21st Street East

Volker Reiss, Compliance Manager stated that staff is here to ask the Board to impose the Order Imposing Penalty/Fine; which has been received by the property owner in the amount of \$13,050.00. Mr. Reiss explained the circumstances concerning the case.

Actions

Member Grant made the motion to impose the fine as presented by staff. Seconded by Member Fisher. Motion carried 5-0.

08-063 Deutsche Bank Trust Company Americas
Address: 4203 14th Avenue East

Volker Reiss, Compliance Manager stated that staff is here to ask the Board to impose the Order Imposing Penalty/Lien; which has been received by the property owner in the amount of \$2,735.50. Mr. Reiss explained the circumstances concerning the case.

Actions

Member Fisher made the motion to impose the fine as presented by staff. Seconded by Member Coury. Motion carried 5-0.

VII. STAFF/BOARD COMMENTS

Volker Reiss, Compliance Manager informed the Board that Mark Runnals has passed his Level 1 certification and that all code enforcement officers are certified by the Florida Association of Code Enforcement.

Merry Christmas and Happy New Year from staff.

VII. ADJOURMENT:

Meeting adjourned at 3:30 p.m.

Next scheduled meeting –January 20, 2009.

Jeff Ragan, Chairperson
Code Enforcement Board

Note: This is not a verbatim record. A recorded disc is available upon request for a \$10.00 service charge.