

ABBREVIATED MINUTES
CODE ENFORCEMENT BOARD
September 16, 2014

The City of Bradenton Code Enforcement Board met in regular session on September 16, 2014 at 2:30 P.M. in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida.

ATTENDANCE

Code Enforcement Board members present:

Chairman Robert Grant (3:05 PM), Vice Chairman Fred Hayo, Glyn Oldham, Al Youmans and James Bruen.

Excused:

Xena Vallone

Legal counsel for Code Enforcement Board:

William Lisch, Esq.

PRELIMINARIES

- 1) Meeting called to order by Vice Chairman Fred Hayo at 2:30 P.M.
- 2) Pledge of Allegiance led by Vice Chairman Fred Hayo.
- 3) Mr. Oldham made the motion to accept the minutes from August 19, 2014 as presented by staff. Second by Mr. Bruen. Motion carried 4-0.

WITNESSES SWORN IN:

Volker Reiss, Mark Runnals, Jose Lebron, Mike Maginness, Jermaine Agurs, Patricia Petruff, Chris Kiernan, Joel Manzella, Leah Ellenton, Amanda Croteau and Barbara Paleologos.

UNFINISHED BUSINESS:

14-036 Point Pleasant Condominium Association, Inc.
Address: 210 17th Street North West

Volker Reiss stated the history of the case and said the property owner's representative is here to update the board on the progress of the work being done to correct the violations.

The property owner's representative, Leah Ellenton, was present and spoke about the progress made.

Mr. Reiss stated that he would like Code Enforcement to meet with the manager or Leah Ellenton to get a status of the work being done in January 2015.

14-060 Drew Loeffler
Address: 2006/2008 12th Street West

The property owner was not present. Michael Maginness, Code Enforcement Officer whose credentials are on file, entered nineteen photographs into evidence. He displayed the photographs and explained the violations.

Actions

Mr. Oldham moved to find the property owner in violation of Sections 504.3, 704.2, 604.3, 308.1, 304.7, 304.2, 304.14 and 302.4 from ordinance no. 2936 and Chapter 5.0, Section 5.1.1 from the Land Use Regulations. Second by Mr. Hayo. Motion carried 5-0.

Mr. Oldham moved to give the property owner 60 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Hayo. Motion carried 5-0.

14-065 Keith R. Ballinger
Cheryl D. Ballinger
Address: 201 9th Street East

Mr. Volker Reiss stated that the property is in compliance and the case is removed from the agenda.

HEARINGS:

14-070 Lorraine Barber
Address: 617 32nd Street West

Mr. Volker Reiss spoke about the case and requests that we continue the case until the October 21, 2014 Code Enforcement Board Hearing.

Actions

Mr. Oldham moved to continue the case until the October 21, 2014 Code Enforcement Board Hearing. Second by Mr. Bruen. Motion carried 4-0.

14-072 MDI LLC
Address: 308 16th Street East

Mr. Volker Reiss stated that there was not good service to the respondents.

14-073 JPMorgan Chase Bank, National Association
Address: 19216th Avenue East

The property owner's representative, Amanda Croteau, was present. Mark Runnals, Code Enforcement Officer whose credentials are on file, entered six photographs into evidence. He displayed the photographs and explained the violations.

The property owner's representative, Amanda Croteau, spoke about the violations and asked for 60 days.

Actions

Mr. Youmans moved to find the property owner in violation of Sections 304.2, 304.7, 304.6, 301.3 and 302.4 from ordinance no. 2936 and Section 1 (A)(2)(3) and Section 1 (B)(3) from ordinance no. 2821. Second by Mr. Bruen. Motion carried 4-0.

Mr. Youmans moved to give the property owner 60 days for code compliance with a fine of \$150.00/day thereafter. Second by Mr. Bruen. Motion carried 4-0.

14-074 Darcy A. Norton
Address: 2416 19th Avenue West

Mr. Volker Reiss stated that the property is in compliance and the case is removed from the agenda.

14-075 Gertrude Stewart
Address: 1544 3rd Avenue West

Mr. Volker Reiss stated that there was not good service to the respondents.

14-076 Bank of New York Mellon
Popular ABS Inc. Mortgage Pass Through
Certificates Services 2004-5
Address: 1110 12th Street West

The property owner was not present. Jose Lebron, Code Enforcement Officer whose credentials are on file, entered twelve photographs into evidence. He displayed the photographs and explained the violations.

Actions

Mr. Hayo moved to find the property owner in violation of Sections 304.2, 308.1, 304.13, 302.7, 304.10, 604.3, 304.15, 304.14, 309.1, 108.1.5.7, 304.6, 304.7 and 305.2 from ordinance no. 2936 and Section 1 (B)(3), Section 1 (A)(2)(3) and Section 1 (B)(1) from ordinance no. 2821. Second by Mr. Bruen. Motion carried 5-0.

Mr. Hayo moved to give the property owner 30 days for code compliance with a fine of \$250.00/day thereafter. Second by Mr. Bruen. Motion carried 5-0.

14-077 Jerome Williams
Address: 1018 6th Street West

The property owner was not present. Michael Maginness, Code Enforcement Officer whose credentials are on file, entered six photographs into evidence. He displayed the photographs and explained the violations.

Actions

Mr. Bruen moved to find the property owner in violation of Sections 308.1, 304.13.2, 304.13, 304.2, 304.9 and 302.4 from ordinance no. 2936, Section 1 (B)(1) and Section 1 (A)(2)(3) from ordinance no. 2821 and Chapter 5.0, Section 5.1.1 from the Land Use Regulations. Second by Mr. Hayo. Motion carried 5-0.

Mr. Bruen moved to give the property owner 30 days for code compliance with a fine of \$150.00/day thereafter. Second by Mr. Hayo. Motion carried 5-0.

OTHER BUSINESS:

**11-043 Michael P. Beers
Michael Allen Tucker**
Address: 1502 18th Street West

The property owner's representative, Barbara Paleologos, was present. Mr. Volker Reiss summarized the events of the case, stating that staff is not opposed to a reduction in the fine.

Barbara Paleologos, the property owner's representative, asked for a reduction in the fine.

Actions

Mr. Bruen moved to reduce the fine to \$5,000 to be paid by October 16, 2014. Second by Mr. Oldham. Motion carried 4-0.

11-051 Daryl Brown
Address: 1104 19th Avenue West

The property owner was not present. Mr. Volker Reiss spoke about the history of the case and stated that staff is not opposed to a reduction in the fine.

Actions

Mr. Hayo moved to reduce the fine to \$1,200 to be paid by September 16, 2014. Second by Mr. Oldham. Motion carried 5-0.

**11-098 Janet Hansen
Ronald Hansen**
Address: 3206 21st Avenue Drive West

The property owner was not present. Mr. Volker Reiss spoke about the history of the case and read into the record the request for a reduction of fine from the bank. Mr. Volker Reiss stated that staff is opposed to a reduction in the fine.

Actions

Mr. Bruen moved to reduce the fine to \$5,000 to be paid by October 16, 2014. Second by Mr. Oldham. Motion carried 5-0.

12-074 Christopher Kiernan
Address: 2527 12th Avenue West

The property owner, Christopher Kiernan and the new property owner, Joel Manzella was present. Mr. Volker Reiss spoke about the history of the case and stated that staff is not opposed to a reduction in the fine.

Christopher Kiernan and the new property owner, Joel Manzella asked for a reduction in the fine.

Actions

Mr. Youmans moved to reduce the fine to \$1,000 to come into compliance in 30 days and to be paid by November 1, 2014. Amended motion to reduce the fine to \$2,000 to be paid by November 1, 2014 and to come into compliance by November 1, 2014. Second by Mr. Oldham. Motion carried 3-2 (Youmans and Hayo opposed).

14-013 Penn Cash, LLC
Address: 1313 8th Avenue West

The property owner's representative, Patricia Petruff, was present. Mr. Volker Reiss spoke about the case and requests that we continue the case until the November 18, 2014 Code Enforcement Board Hearing.

The property owner's representative, Patricia Petruff, spoke about the violations and asked for an additional 60 days.

Actions

Mr. Oldham moved to continue the case until the November 18, 2014 Code Enforcement Board Hearing. Second by Mr. Youmans. Motion carried 5-0.

**14-023 Sam J. Washington
Lavonne Washington**
Address: 615 23rd Avenue West

The property owner was not present. Mr. Volker Reiss summarized the events of the case, stating that the property was in compliance when we imposed the fine and the fine was imposed by error.

Actions

Mr. Oldham moved to have the fine removed. Second by Mr. Youmans. Motion carried 5-0.

14-038 Camilla Maria Bordoni
Address: 1402 18th Street West

The property owner was not present. Mr. Volker Reiss summarized the events of the case, stating that the property remains in violation and staff requests the fine be imposed.

No action was taken and the fine is imposed.

**14-054 Back Bay Preserve Development, LLC
Manatee Trust U/A/ DTD 2/20/91**
Address: 3700 SR 64 East

Mr. Volker Reiss stated that we did not have good service to hear this case at the July 15, 2014 Code Board Hearing and need to renotify the property owner for the Code Board Hearing for November 18, 2014.

STAFF/BOARD COMMENTS:

None

ADJOURNMENT:

Meeting adjourned at 4:17 P.M.

Next scheduled meeting – October 21, 2014

**Robert B. Grant Jr., Chairman
Code Enforcement Board**

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