

**CODE ENFORCEMENT BOARD**  
**City Commission Meeting Room**  
**100 North Andrews Avenue**  
**NOVEMBER 26, 2002**  
**10:13 A.M - 3:47 P.M.**

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**CUMULATIVE ATTENDANCE**

From January, 2002

**Present**                      **Absent**

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**BOARD MEMBERS PRESENT:**

Larry Hayes	11	0
Gerald D. Jordan, Vice-Chair	11	0
Sam Mitchell (Alternate)	1	0
John Phillips	10	0
Alan Vordermeier, Chairman	8	2
Bobby Young	9	2
Bruce Jolly, Attorney		

**BOARD MEMBERS ABSENT**

Pat Hale	9	1
Rixon Rafter	8	2

**STAFF PRESENT:**

Susan Batchelder, Administrative Assistant II  
Assistant City Attorney  
Sylvia Dietrich, Service Clerk  
Mohammed Malik, Building Inspector  
Douglas Kurtock, Building Inspector  
Robert Kisarewich, Building Inspector  
Robert A. Pignataro, Building Inspector  
Wayne Strawn, Building Inspector

CODE ENFORCEMENT BOARD MEETING  
NOVEMBER 26, 2002  
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**Kimberley Sue Brizendine - CE02091147**  
**Louis Nelson McCutchen - CE02010698**  
**Horace Jones - CE02082294**  
**Ronald Mastriana - CE002030236**  
**Joseph Patrick Brennan - CE02070626**  
**David M. Reid - CE01031770**  
**Timothy A. Bellis - CE02070626**  
**James Brady - CE01091059**  
**Farouk Roback - CE2051593**  
**Mary Ellen Prieto - CE0007249**  
**Stephen J. Straley - CE02020010**  
**Richard Galvez - CE02041248**  
**Romney Rogers - CE01061215**  
**Anthony Miniea - CE01091059**  
**Karen Roselli - CE02041119**  
**Angela Manalaysay - CE02011854**  
**Frank Ruff - CE02041248**  
**John Brown - CE00061475**  
**Dusty Goodwin - CE00061475**  
**David Frenzel - CE00061475**  
**Jon Chassen - CE00041188, CE01070243, CE01081572**  
**Charles Richie - CE01070243**  
**Victor Collica - CE98100824**  
**Carol Clarkson - CE00041188, CE01081572**  
**Stephanie Toothaker - CE00041188, CE01081572**  
**Donolson - CE00080137, CE98080619**  
**John Yanoviak - CE00080137, CE98080619**  
**Robert Wickman - CE00080137, CE98080619**  
**Michael Kelleher - CE01110929**  
**Ken Welt - CE0110929**

At 10:09 a.m., Chairman Vordermeier called the meeting to order. Roll call was taken and a quorum was present. Chairman Vordermeier explained the procedures the Board

Ms. Batchelder, Community Inspections, stated that there was one verbal agreement.

**Reference: CE02091147**

Diane Lynn Bradford  
1236 NE 13 Avenue

FBC 104.1 - There have been physical alterations and improvements to the building without first obtaining the required building permit. Such items include, but are not limited to, the following: (1) Enclosed carport; (2) new bathroom; (3) electrical work; (4) new patio enclosure; (5) new shed in backyard; (6) replaced wooden fence (7) new doors; and (8) new windows: FBC 104.2.4 - Plumbing for bathrooms with allnew fixtures wthout first obtaining required permits. FBC 104.2.5 - Electrical work in enclosed carport, bathroom and other rooms without first obtaining required permits.

Ms. Batchelder announced that there had been personal service to Diane L. Bradford by Inspector Pignataro on November 3, 2002, and Certified Mail addressed to the owner and signed by the owner, but no date on the green card, which was received back in Community Inspections on November 21, 2002.

Mohammed Malik, Building Inspector, stated the case number, address of the property and violations per the agenda. He further stated that a verbal agreement had been reached with the owner for a 120-day compliance time, and then a fine would be imposed of \$50 per day, per violation. Mr. Malik continued stating that permits had already been applied for on this property.

Kimberley Brizendine, owner of the property along with Diane Bradford, stated that they

**Reference: CE02082294**

Horace Jones  
801 NW 17 Avenue

FBC 104.1 - There have been physical alterations and improvements to the interior of the building and exterior structure without first obtaining the required building permits. This includes, but is not limited to: (A) Installation of security bars; (B) Exterior woodwork and framing; and (C) Replacements of doors and windows. FBC 3401.6 - Failure to maintain the property. Wood deterioration in several locations. Doors and windows not properly installed and roof and fascia board deteriorating. Crawl-thru space not secured and ventilated.

Ms. Batchelder stated that there was personal service on this case through personal appearance by the owner of the property.

Douglas Kurtcock, Building Inspector, stated the case number, address of the property, and violations per the agenda. He stated that an agreement was reached with the owner and that a request was being made for a 90-day compliance period, and a fine to be imposed thereafter of \$10 per day, per violation.

**Motion** made by Mr. Jordan and seconded by Mr. Mr. Hayes to find in favor of the City and order compliance within 120 days or a fine would be imposed of \$10 per day, per violation. Motion passed unanimously.

**Reference: CE02070626**

Copeland Real Estate Inc.

Registered Agent, but the signature was illegible and there was no date on the green card, which was received back in Community Inspections on November 13, 2002. She further stated that Certified Mail had been sent to the corporation, but the signature also was illegible with no date on the green card, which was received back in Community Inspections on November 13, 2002. Ms. Batchelder also stated that Certified Mail had also been sent to the President, signed by Lauren Houston with no date on the green card, which was received back in Community Inspections on November 13, 2002.

Kenneth Reardon, Building Inspector, stated the case number, address of the property and violations per the agenda. He stated that he had reached a verbal agreement with the owner to have the property brought into compliance within 30 days or a fine would be imposed of \$100 per day, per violation.

Joe Brennan and Tim Bellis, owners of Advantage Bail Bonds, stated that they were in agreement with what had been proposed.

**Motion** made by Mr. Phillips and seconded by Mr. Mitchell to find in favor of the City and order compliance within 30 days or a fine of \$100 per day, per violation would be imposed. Motion passed unanimously.

**Reference: CE02030236**

Transwestern Beach Place  
17 S. Ft. Lauderdale Beach Blvd.

Old Business

Ms. Batchelder announced that this case had originally been heard on April 23, 2002, with compliance ordered by October 23, 2002. The fines were in the vicinity of \$1300. She stated there had been a discrepancy with regard to the date, but the Respondent would explain further.

Ron Mastriana, attorney representing Beach Place, stated that they were asking both for an abatement of fines and an extension of time. He stated that he had not attended the original hearing on this matter, but he was familiar with Beach Place. He explained that there had been a problem in the original design of the fire doors which separated the

understood.

Jeff Lucas, Fire Inspector, stated the owners had been very cooperative and they had brought the building back to its original condition by November 6, 2002, per request of the Fire Marshall. He stated they had no objections to the abatement of fines and the granting of a time extension.

Chairman Vordermeier asked why they were in favor of the abatement of fines. Mr. Lucas explained that the doors were on special order and this had been in occurrence since the last hearing. He stated the owners were within 30 days of their compliance date.

Mr. Jordan remarked that this was a challenging engineering problem and was a unique situation. He further explained that this Board normally did not abatement fines until the project was completed, but he felt if the City was making such a request, he would have no objection.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to grant the abatement of fines and further grant a 90-day time extension so the building could be brought into compliance.

Mr. Mitchell asked if the Board was only considering the door issue at this point. Mr. Lucas remarked that all the other violations had been complied with as of this time.

Motion passed unanimously.

**Reference: CE02010698**

Sixth Street Corp.  
1448 NW 6 Street

Old Business

Ms. Batchelder announced that this case had originally been heard on August 27, 2002 with compliance ordered by October 26, 2002. Current fines were \$6,000.

Louis McCutchen, representing Sixth Street Corporation, stated that he had been hired to

for an extension of time, but they did not support the request regarding the abatement of fines due to the fact that additional work had yet to be completed.

Mr. McCutchen stated that some of the work had been completed, but final inspections were needed. Therefore, he felt an additional 30 days was needed. Chairman Vordermeier stated that the work could not be completed in 30 days, and therefore, the Board would suggest a 90-day extension of time.

Mr. Phillips asked when the permits had been issued. Mr. Pignataro stated they had received the permits on November 20, 2002. Mr. Phillips asked why it took so long to obtain the permits. Mr. McCutchen stated that he had been hired in October.

**Motion** made by Mr. Phillips and seconded by Mr. Jordan to grant a 90-day extension of time, and deny without prejudice the abatement of fines at this time. Board unanimously approved.

Chairman Vordermeier explained that once the work had been completed, they could return before the Board and request an abatement of the fines.

**Reference: CE01031770**

David M. & Anita Reid  
2918 N. Ocean Blvd.

Old Business

Ms. Batchelder announced that this case had originally been heard on October 23, 2001 with compliance ordered by April 23, 2002. On May 28, 2002, it was extended to August 26, 2002, and on August 27, 2002, it was extended until November 25, 2002. The current fines had accrued for the number of days they were out of compliance and totaled \$1,360.

Kenneth Reardon, Building Inspector, stated that the owner was presently in compliance and would only be requesting for an abatement of fines, and the City had no objections to the abatement of fines.

David Reid, owner, stated that the Pre-Sale Code Inspection had listed the violations, and

**Reference: CE00072549**

Maryellen Prieto  
932 SW 29 Way

Old Business

Ms. Batchelder announced that this case had originally been heard on October 23, 2001 with compliance ordered by April 23, 2002. On May 28, 2002, the time was extended to July 27, 2002. On August 27, 2002, the date of compliance was extended to December 25, 2002. She remarked that the owner was working with the Economic Development Department who would provide further explanation of this matter. The fines totaled \$10,200, but there was no lien on the property.

Kenneth Reardon, Building Inspector, stated the contract had been finalized with the City regarding the demolition, and a replacement house would be provided. He further stated that the owner was requesting an abatement of fines.

Ms. Prieto, owner, stated that she was in agreement with what was being stated.

**Motion** made by Mr. Phillips and seconded by Mr. Mitchell to abate the fines on the property. Motion passed unanimously.

**Reference: Case No. CE01091059**

Sam Miniea Family Holdings, Ltd.  
850 NW 61 St.

Old Business

Ms. Batchelder announced that this case had originally been heard on October 23, 2001 with compliance by February 20, 2002. A request was made on April 23, 2002 for an extension of time which had been denied. Fines total \$49,500.

Jim Brady, representing Sam Miniea Family Holdings Trust, stated that Messrs. Sam and Tony Miniea were also present at today's hearing. He explained that this property was a large warehouse facility which had offices in the front, and the back essentially housed a shed. He stated that the shed housed a truss factory. Mr. Brady stated that the violations



Mr. Brady stated that since the original hearing the demising wall problem had been solved by removing the tenant, High Tech Welding, because to solve the problem from a structural point of view would have been too expensive. He further stated that the windows had been installed as requested and plans had been drawn up regarding the fire safety measures. Electrical work was being done, and a general contractor had also been hired.

Mr. Brady further stated that the owner was requesting an abatement of fines since a permit was obtained for the electrical work, which work was being done today. He stated that the general contractor had pulled out in the last few days because he felt there was too much involved and too many problems and misunderstandings. He explained that the fire exit pattern and fire doors were the only remaining issues to be solved. He further requested a 90-day extension in order to complete the remaining work. Mr. Brady stated that they had spent over \$50,000 to resolve the violations. He explained they had also spoken with the Fire Department regarding the sprinkler system that would be installed.

Ivett Spence-Brown, Fire Inspector, stated the case number and gave the location of the property. She proceeded to explain that the violations had been written in April, 2002 and had been issued to previous tenants on the property, along with the Trust. She stated that on previous occasions she and Lt. Gillis had been to the property and explained to the owner before he became ill what was being required to bring the property into compliance. Nothing had been done. She stated further that the violations which had been corrected were done by Atlantic Trust. She explained they had not been ordered to install the windows, but they had not been fire rated, and therefore corrections were made. She further stated that the exit doors did not require a lot of work in order to be in compliance, and she felt that ample opportunity had been provided from 2000 to 2002 to have that work done.

Ms. Brown stated that before these fines were abated, the property needed to be in full compliance with the Code.

Chairman Vordermeier asked which violations were in compliance. Ms. Brown explained that all violations were in compliance except for NFPA 101 18-2.4.1 and NFPA 101 28-2.8. Chairman Vordermeier asked if 60 days would be sufficient to bring the property into compliance. Ms. Brown explained that she was not in favor of granting any further

the-wall where people could walk out. Mr. Brady explained they were not arguing the matter, but they got held up in their work and now were requesting additional time.

Tony Miniea stated that his father was in deteriorating health and he and his brothers began taking over the building and were willing to solve all issues.

Chairman Vordermeier asked why they could not negotiate a solution with the Fire Department. Mr. Brady stated that they were putting in the fire-rated door and plans had been approved, and they only had to hire a new contractor. Chairman Vordermeier asked how much additional time was needed to complete the work. Mr. Brady stated that most of the time was needed to go through the process and then have the work done. He felt that 60 days would be sufficient time to complete the job.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to grant a 60-day extension of time in order to be in compliance with the Code.

Mr. Mitchell asked for a clarification of how many extensions had been granted regarding this matter.

Motion passed unanimously.

**Reference: CE02051593**

Benitta H. Dziekan  
800 NW 8 Avenue, #6

Old Business

Ms. Batchelder stated that this case had originally been heard on August 27, 2002 with compliance by September 26, 2002. Current fines total \$3,000. She further explained that three items had been brought into compliance, and the only section not in compliance was 47-20.8.

Farouk Roback, representative of the owner, stated that they were requesting a 60-day extension.

**Reference: CE01061215**

First Baptist Church  
409 E. Broward Blvd.

Old Business

Ms. Batchelder stated that this case had originally been heard on September 25, 2001 with compliance ordered by April 23, 2002. An extension of time was granted on April 23, 2002 to August 21, 2002. The fines totaled \$16,000 from August 22, 2002 to September 13, 2002 when the property came into compliance.

Romney Rogers, on behalf of First Baptist Church, stated they were requesting an abatement of the fines which accrued during the 23-day period.

Robert Kisarewich, Building Inspector, stated that the City favored an abatement of the fines at this time. He stated this was a very extensive project which spread out over a period of time.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to approve the abatement of fines for the above-referenced property. Motion passed unanimously.

**Reference: CE02020010**

Taryton Condo Assn.  
2901 NE 33 Avenue

Old Business

Ms. Batchelder stated that this case had originally been heard on August 27, 2002 with compliance ordered by November 25, 2002.

Stephen Straley, attorney, stated this matter was in conjunction with a violation in a particular unit where termites were present and the unit had been redone. During that work, structural floor beams and structural support beams were involved and permits were not obtained. He explained this was a small condominium and most people permanently lived out of town. A voting system had been gone through in order to hire an architect and contractor. They were in the process of filing for the necessary permits, and were

the City had any objection to granting another 30 days for an extension of time.

Mr. Straley stated he was representing to the Board that plans had been completed, but they had not yet been delivered to the Building Inspector, which would be done so this week.

Mr. Malik stated that he had no problem with granting an extension of time as long as the plans were submitted.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to approve a 60-day extension of time. Board unanimously agreed.

**Reference: CE002041248**

Frank Ruff, Trustee  
1101 W. Commercial Blvd.

Old Business

Ms. Batchelder stated that this case had originally been heard on July 23, 2002 with compliance ordered by September 21, 2002. The current fines total \$6,500.

Frank Ruff, owner, stated that on September 17, 2002 he had met with the Fire Marshall, John Smith - Building Official, and the engineer in order to solve the problems, but an agreement could not be reached. Therefore, a proposal was made by the owner that they purchase another piece of property and move the tire business to the new location. He explained that a lease was signed for the property on September 30, 2002 for 10 years, but a problem remained in having the present tenant moved which involved the environmental group. Hopefully, matters would be resolved this week.

Mr. Ruff further explained they were purchasing another building in the area.

Mr. Phillips stated that there were no numbers on the building. Mr. Ruff stated that numbers had been installed on the building. Mr. Phillips further asked what the buying of another building had to do with this matter. He also asked why permits were not received in order to install the metal shelving.

storage area, but this did not completely address the issue. He stated they had performed a life-safety analysis of the structure, arrived at a mediation plan, and prepared plans. On September 17, 2002 a meeting was held with representatives of the Building and Fire Departments and the remediation plan was presented. The plan was rejected due to operational concerns affecting a firefighter who might have to enter the building even though the owner also agreed to a new sprinkler system with fire protection, the installation of a fire pump, and the installation of an area-wide smoke detection system. Mr. Alvez stated that Mr. Ruff suggested purchasing another property in the area and move the business. The authorities deemed this suggestion acceptable and financing was secured for the building located at 5801 51<sup>st</sup> Street. Some environmental concerns were raised and the title showed some problems all of which delayed matters. Mr. Alvez further stated that the plans could not be submitted until the problems with the title had been addressed. He requested they were asking for an additional six months in order to complete all work.

Robert Pignataro, Building Inspector, stated that the City was against any extension of time because the owner had ample time to correct the violations and did not do so. He stated that upon his last visit, numbers had still not been installed on the building. He explained that the permits had not been pulled as he had suggested, and the shed inside the building had not yet been removed.

Chairman Vordermeier stated that there had not been a lot of time provided to move tires. Wooden shelving had been replaced with steel shelving, but the problem was still not solved and a sprinkler system had to be installed. He felt the owner was attempting to work on the problem.

Mr. Pignataro stated that the work had been done without permits. Chairman Vordermeier asked if the owner was aware that he needed permits to do the necessary work. Mr. Pignataro confirmed they had been advised by the Fire Department what would be necessary in order to bring the building into compliance. He further stated they were concerned about a possible fire at the location. Mr. Pignataro explained the items of work the owner was requested to do, and stated that nothing had been done since January 22, 2002 when the owner was informed of what work had to be done.

Mr. Phillips stated that he felt this Board could not consider the moving to another location

he felt he would obtain the bid. The building was fully sprinkled and would solve the problem. He would then have only non-combustible items in the old building.

Mr. Mitchell asked for a clarification in regard to the shed inside the building. Mr. Pignataro stated that they had built a drywall framed shed inside without a permit. They had to either have it permitted with the shelving or have it removed. Mr. Mitchell stated that it appeared the owner had not complied with minor requests that had been made. Mr. Ruff explained that they grinded wheels in the shed so dust did not fly all over the shop. He stated that he was under the impression that sheet rock had to be placed on the walls of that shed, and he had done so.

Mr. Pignataro explained that in the beginning, they had advised Mr. Ruff that he had to have a general contractor, engineer and architect on board to design things and have a contractor to build it according to Code. He stated that just putting up drywall did not meet Code requirements.

Mr. Jordan reiterated that Mr. Ruff was having all these problems due to the fact that work was being done without permits.

Ivett Spence-Brown, Fire Inspector, stated that originally the violation had been written in 1999 for Mr. Goodrodes, and because of the loft it had been referred to Mr. Pignataro. Mr. Pignataro explained that he had given the owner plenty of verbal time to get matters in order, and did not listen until he had been given a written violation.

Mr. Pignataro stated that the City was not in favor of an extension of time and the fine stood at \$50 per day, per violation.

Mr. Alvez stated they were attempting to address the violations through a performance approach in which an adequate form of protection was provided through spraying the exposed field with water, but the Fire Marshall and Building Official were hesitant to address this issue if a proper exit was not provided. He stated the best solution was to demolish the existing shed, obtain another building, and move the tires to the new location.

Mr. Jordan suggested that possibly they come back in January and report their progress.

Chairman Vordermeier clarified that if Mr. Ruff removed the tires and the racking from inside the building, and removed the shed, he would be in compliance with the Code. Mr. Pignataro confirmed.

**Motion** made by Gerald Jordan and seconded by Mr. Hayes to approve a 30-day extension.

Mr. Mitchell asked what materials were used in the room. Mr. Alvez stated that tires were combustible and not volatile. He further stated that the flash point did not come into play in this situation and the problem with fires was the sustained combustion and heat release rate that would be sustained if a fire started which could affect the structure. He further stated that in order for the tires to burn in a fire, the temperature would have to reach approximately 300E.

**Roll call on motion:** YEAS: Gerald Jordan, Bob young, and Alan Vordermeier. NAYS: John Phillips, Sam Mitchell and Larry Hayes. Motion results: 3-3.

Mr. Jolly, Attorney for the Board, stated that the motion did not pass. Results of the motion were 3-3 and the fines would continue to run on this property.

Mr. Ruff remarked that this was unfair and he did not understand why the Board wanted to put him out of business.

**Reference: CE02011854**

H. Joseph Roselli  
1620 N. Federal Highway  
Old Business

**Reference: CE02041119**

H. Joseph Roselli  
1628 N. Federal Highway  
Old Business

Ms. Batchelder announced that these two case would be heard together. She further

additional permits were applied for and during the course of that process, there were many questions and requested revisions which had not arose during the initial application which caused some delays to occur. The owner received a letter from the City on October 18, 2002 notifying him of an impending lien on the property. On October 30, 2002, Ms. Roselli had responded to Verna Green which detailed the work which had been done, including revised drawings.

Chairman Vordermeier reiterated that if an applicant had documents to submit which they felt impacted their case, the paperwork was to be submitted so the Board could review it before the hearing.

Ms. Roselli began to summarize what was in the letter which had been sent to Ms. Green. She stated that the initial permit was dated July 25, 2002. The two subsequent permits were issued on November 8, 2002. Due to the problems which arose regarding revisions, the architect had to redraw various things which caused delay in obtaining the permits. She proceeded to say that the Assistant City Attorney suggested they request an extension of time in order to stop the fines. She continued stating that they hoped to have all the work completed by the middle of next week. She requested a waiver of the fines on this property.

Robert Pignataro explained that they did have all their permits, but confusion began when they had one permit for both properties. He stated they presently were in compliance and proceeded to ask if they had removed the signs on the awning for "Patsy's Place." Ms. Roselli confirmed.

Ms. Roselli stated they had asked for an extension of time because she was not sure if they would have received the permits by today's hearing. She stated that the construction work associated with both properties would be finished next week, but the Orders they were working under from the Special Master was to obtain after-the-fact permits. It did not require them to have the work completed by August 24, 2002.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to approve the abatement of fines on both properties. Motion passed unanimously.



John Brown, engineer, stated that they had to install a second means of egress from the second floor and plans were drawn and submitted to the Building Department. He explained they had shop drawings from the manufacturer of the stairwell. It was then determined that fire sprinklers had to be installed and a zoning issue arose regarding occupancy. It was determined that the property was in compliance and approved. Sprinkler drawings were presently in the Building Department for review.

**Motion** made by Mr. Phillips and seconded by Mr. Jordan to approve a 60-day extension so permits could be issued for the required work.

Ivett Spence-Brown, Fire Inspector, stated that she normally was willing to work with the tenants, but these violations had first been written in 1998. The Fire Marshall had granted two previous extensions of time so the problems could be resolved on June 1, 1999 and December 28, 1999. After that time, the Fire Marshall refused any further extensions of time. They then came before the Code Board and received 14 months to obtain a permit and complete the work. Nothing was done. She explained that the last time they appeared before this Board, they stated their problem was that they were attempting to get permits for the living quarter, which had then been resolved. No other work had been done. Ms. Brown further explained that today she was told they could not obtain the permit due to Al Weber being on vacation. She stated that Mr. Weber did not have any plans in his office for the concerned work as of this date. She further stated that until they showed her plans, she was not in favor of any extension of time or abatement of fines until the work was done. She reiterated that life safety issues were involved.

Mr. Brown stated they were in the process at this time and Zoning had reviewed their plans on November 22, 2002. He further explained that this property should have been grandfathered in and they originally did not need fire sprinklers. He reiterated that they wanted to make sure all the work would be Code compliant.

Mr. Phillips remarked that when they re-appeared before this Board in 60 days and if there was no forward movement on the project, there would be no abatement of fines.

**Roll call on motion:** YEAS: Bob Young, Gerald Jordan, Alan Vordermeier, and Mr. Phillips. NAYS: Mr. Hayes and Mr. Mitchell. Motion carried 4-2.

Mr. Jolly stated it was up to the Board, but his suggestion was that since he was not on the agenda that he not be heard at this time. Mr. Jolly stated it was his recommendation that the Board not have this person address them until "For the Good of the City" at the conclusion of the meeting.

Chairman Vordermeier stated that he agreed and felt if they proceeded they would be setting a bad precedent for future meetings.

Mr. Mitchell stated that this gentleman had contacted him yesterday and he told him he would try and have him heard. This person had appointments scheduled for later this afternoon and he asked the Board if they would acknowledge the gentleman at this time.

**Motion** made by Mr. Mitchell and seconded by Mr. Jordan to approve hearing Mr. Koenig's statements at this time. Board unanimously approved.

Chairman Vordermeier stated he was upset that he had not been contacted about this matter. Ms. Batchelder reiterated that Mr. Koenig was not on the agenda, but was here to speak under "For the Good of the City."

Robert Koenig, resident, stated he had a problem with the water/storm drainage matter by the City at SE 10<sup>th</sup> Avenue and 15<sup>th</sup> Street which was incomplete. Another problem was the matter at 1616 S.E. Second Street which had received permits for work and he was unsure if the property had new owners and if the previous owner was alive or not. Mr. Koenig stated that the third matter dealt with Florida Power and Light Company. He proceeded to ask if they were in compliance with putting telephone poles in the middle of sidewalks which hampered pedestrians. He asked who granted the permits for such type of work and he wanted that to stop.

Chairman Vordermeier stated that Mr. Koenig had excellent questions, but they should be directed to his District Commissioner, Cindi Hutchinson. Mr. Koenig explained that he had spoken with her and she stated she would look into the matter.

Mr. Phillips asked Ms. Batchelder if she had any of the fliers in her possession which explained to residents who to contact regarding various violations in the City and how to

**Board recessed until 1:00 p.m.**

**Individuals wishing to speak on the scheduled cases were sworn in.**

Ms. Batchelder stated there were two new business cases that would be heard at this time.

**Reference: CE02110096**

Trident-Allied Assoc II, LLC  
6650 N. Andrews Avenue

FBC 104.1.1. - Work was performed on the 16<sup>th</sup>, 17<sup>th</sup> and 2<sup>nd</sup> floors without permits. Guest rooms were turned into concierge lounges on the 16<sup>th</sup> and 17<sup>th</sup> floor. An exit was eliminated on the 2<sup>nd</sup> floor.

Susan Batchelder stated that Certified Mail had been sent to the Registered Agent, and signed by Loren Ruden on November 5, 2002. Certified Mail was also sent to the Association and signed by B. Mosely on November 6, 2002. Certified Mail was sent to the Manager signed by B. Mosely on November 6, 2002.

Carmen Robnett, Fire Inspector, presenting for Lt. Percanico, stated the case number, location of the property, and the violation involved. She explained that a verbal agreement had been reached on November 20, 2002 and asked that 90 days be granted so they could come into compliance. Ms. Robnett stated they had no objection to the 90-day compliance timeframe, but thereafter a fine would be imposed of \$100 per day. She further explained that an exit had been eliminated from the second floor.

**Motion** made by Mr. Jordan and seconded by Mr. Hayes to find in favor of the City and order compliance within 90 days or a fine of \$100 per day would be imposed thereafter.

Jeff Lucas, Fire Inspector, explained they had other exits and the second floor was where they had their meeting rooms but needed another one due to travel distance requirements.

**Reference: CE98100824**

Lauderdale Wholesale Inc.  
1147 NE 4<sup>th</sup> Avenue

Old Business

Ms. Batchelder stated that this case had originally been heard on June 22, 1999 with compliance ordered by August 21, 1999. On August 24, 1999 the date was extended to December 22, 1999. On January 25, 2000, the date was extended to July 24, 2000. On September 26, 2000 the date was once again extended to March 27, 2001. On August 27, 2002, the date was extended to November 25, 2002. The current fines total \$21,825.

Lori Milano, Director Community Inspections, stated that she wanted to share some of her dealings with the Board regarding this property. She stated she had recently met with the architect and contractor and things were well under way into the next stage which involved turning it into a retail use. She explained they were faced with a final challenge which was the wall and the only outstanding issue to be brought into compliance. Technically, the wall was up and they were in compliance, but they had not receive final sign-off from the Building Department because the wall triggered other requirements that would be needed and the owner was presently going through the DRC process. Another issue which arose involved landscaping. She requested that the Board grant a 4-month extension of time so all issues could be reviewed and addressed.

Mr. Mitchell asked why it took so long for the wall to be erected.

Victor Collica, owner, stated they were involved in the DRC process. He explained that he did not know that a wall was needed.

Chairman Vordermeier proceeded to update the Board on this situation. He explained that if a cement louvered wall separated a property from adjacent property and had been approved and permitted at that time, it was legal today and did not have to be replaced. He further stated this had just been proven in Court.

Mr. Mitchell reiterated that he was concerned about the adjacent property owners being disturbed by the business.

**Motion** made by Mr. Jordan and seconded by Mr. Hayes to grant a 120-day extension of time in order for the property to come into compliance. Board unanimously agreed. Motion carried 5-0.

**Reference: CE02102303**

Greg Aliferis Holdings, Inc.  
3045 N. Federal Highway, #70

NFPA 1 8-1.2.8.3 - There is no max cap sign posted. NFPA 101 13.2.10 - There is not sufficient exit signs on the south end of the bar. NFPA 101 13.2.2.2.3 - Exit doors do not have panic hardware. NFPA 101 13.2.9 - There is not sufficient emergency lighting on the south end of the bar. NFPA 101 7.2.1.2.2. - South side exit door is smaller than 34" clear width. NFPA 101 7.2.1.4.4. - South side exit door swings inward against the direction of travel. NFPA 101 7.2.1.5.1 - Exit doors have double key locks.

Ms. Batchelder announced that Certified Mail had been sent to Geoffrey Robinson, Esq., Registered Agent, and was signed by Geoffrey Robinson on November 2, 2002.

Jeff Lucas, Fire Inspector, stated the case number, address of the property, and violations. He further stated that last month he had been out-of-town and some confusion arose whether the property was in compliance or not. He stated it was not in compliance and notices were resent. He explained that several violations were involved and the owner had either taken care of some violations or was in the process of doing so. He suggested 90 days to come in to compliance, and thereafter a fine imposed of \$100 per day, per violation.

Chairman Vordermeier explained that he had a conflict of interest regarding this matter and would have to abstain from all discussion and from voting on the matter.

**Motion** made by Mr. Hayes and seconded by Mr. Mitchell to find in favor of the City and order compliance within 90 days or a fine be imposed of \$100 per day, per violation. Board unanimously approved.

Alan Vordermeier took over as Chairman of the meeting.

**Reference: CE00080137**

New River Boat Club, Inc.  
3001 State Road 84

Old Business

Ms. Batchelder announced that this case had originally had a compliance date of October 26, 2000 in connection with Section 45-01.2.D. On October 24, 2000 it was extended to January 23, 2001. It was once again extended on February 27, 2001 until April 28, 2001. Time was extended on April 24, 2001 to June 26, 2001, and again extended on June 26, 2001 to September 25, 2001. Time was again extended on October 23, 2001 to December 22, 2001. On January 22, 2002, compliance was ordered by March 23, 2002. Time extended on July 22, 2002 to October 21, 2002. The last extension was issued on October 22, 2002 to December 21, 2002. The date for compliance originally scheduled for Section 38-06.2.C was the same, but had a shorter compliance date at the beginning. Current fines on the property total \$77,000.

Don Olson, representing New River Marina, stated they had cleared up all electrical violations and the electrical contractor was issued a permit to activate the new electrical equipment which had been done by FP&L. He explained that regarding the fire system he was informed this was out of the City's hands. He had attempted to contact Hector Castro and had been referred to other offices and finally met with Mike Bailey, Utility Department. Mr. Bailey had explained to him that this was out of the City's jurisdiction and had to be handled through the County.

Mr. Olson explained he took a second set of the formal request to initiate an agreement process to the County. He further stated that as of this time he did not have such approval from the County. He stated he had fire equipment at each dock on the property in order to meet Code requirements. Mr. Olson requested that the Board acknowledge that they had

Chairman Vordermeier stated that they had done a monumental job and complimented them on their work.

Wayne Strawn, Building Inspector, stated that he was waiting to get a final on the electrical permit which had not yet been received. He explained that the Inspector who wrote the violation under Chapter 45 of the SFBC was a certified electrical inspector, Craig Stevens. He explained that Mr. Stevens was going to the subject property today, and if anything was signed off it would not show up on the log until tonight. He explained further that, therefore, he could not personally verify that all conditions had been met and resolved at the Marina.

Mr. Strawn further stated that they did not have an operable fire protection system, and according to Mr. Olson it was installed but did not have any water. He stated Mr. Olson had no control over that situation and this issue did warrant additional time for compliance.

Chairman Vordermeier asked if Mr. Olson had complied with the City's request for a system to be installed. Mr. Strawn stated that he had installed what the City requested, but presently it did not fulfill Code requirements. Chairman Vordermeier asked if the City had any objection to this Board granting a 30-day extension of time in order for Mr. Olson to receive County approval. Mr. Strawn stated the City had no objections to a reasonable extension of time.

Mr. Olson stated that in order for them to obtain a permit to turn on the electrical equipment, it had to be signed-off by the City. He proceeded to show photographs of the electrical work which had been done and replaced. He felt the issue was not that it was finalized, but that they were in compliance with the requirements of either pulling out the electrical or obtaining the final permit. He explained they had pulled out the equipment before it was finalized, but it was not needed any longer once the power had been turned on.

Chairman Vordermeier asked Mr. Olson if he felt 60-days would be sufficient to address all the remaining concerns on the property.

Bob Wickman, owner, stated their existing problem was that they had a construction draw and they were not permitted to draw any further funds until the problem was resolved. He explained further they had appeared before this Board 30 days ago and thought they were

Mr. Wickman stated that unless the fines were abated, no further construction funds could be obtained.

Mr. Strawn stated that he would call Mr. Stevens and get an update on the sign-off matter, but he further explained there also was a fire protection issue in regard to this property.

Mr. Jordan suggested that the City go to the County and raise the issue as to why the matter was taking so long in their system.

Mr. Wickman stated that he had been one of the Directors of the Marine Mile Association which pushed to annex into Fort Lauderdale, and he brought about 6 or 7 marinas to the City which were worth about \$80 Million. He reiterated that they needed some help from the City.

Lori Milano, Director Community Inspections, stated that since there was a funding issue involved in this case, and normally the Board did not review an abatement of fines until full compliance with the Code, the Board might want to consider an extension of time to clear up the remaining issues and deal with the fines which would allow the funding to be freed and no longer cloud the issue.

**Motion** made by Mr. Jordan and seconded by Mr. Mr. Hayes to grant a 60-day extension and to approve the abatement of all fines in this matter. Board unanimously agreed.

Chairman Vordermeier reiterated that if the matters discussed today were not signed off by the January meeting, then the fines could be reinstated.

**Reference: CE98080619**

New River Boating Center  
3000 State Road 84

Old Business

Ms. Batchelder stated that on November 24, 1998 the Board ordered compliance by May 23, 1999, and time was extended on June 22, 1999 to December 27, 1999. Time was again extended on February 22, 2000 to August 22, 2000. The time was extended once again



was informed that the plans had been rejected 1 ½ years ago.

Kenneth Reardon, Building Inspector, stated that the City had no problem with an extension of time, and explained that the permitting was for remodeling of the upper and lower offices, including new drywall, remodeling of the lower bathroom, and installation of new docks. All other issues had been complied with, but he was not sure if the work could be done by the January meeting.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to approve an extension of time until the Board's January meeting, January 28, 2003. Board unanimously approved.

**Reference: CE01070243**

Clarkson-Bergman Family Partner Ltd.  
2400 W. Broward Blvd. Old Business

**Reference: CE00041188**

Robert M. Hall & Wayne Baxter Co. Tr..  
2500 W. Broward Blvd. Old Business

**Reference: CE01081572**

Clarkson-Bergman Family Partner Ltd.  
350 SW 27 Avenue Old Business

Ms. Batchelder announced that there were 3 cases involving the concerned property.

Compliance was ordered on Reference: CE004118 for July, 2002, and time was extended until May 27, 2002 on the Board's Order of February 26, 2002. Time was then extended on May 28, 2002 to June 27, 2002. Another extension was granted on July 23, 2002 for compliance by September 24, 2002, and on September 24, 2002 compliance was extended until December 23, 2002. Current fines total \$6,780.00

regarding the progress of the work.

Chairman Vordermeier stated that the Board appreciated getting the update in advance of their meeting so the matter could be reviewed. He asked if the City had any problem with the update which had been provided.

Wayne Strawn, Building Inspector, stated that he had read the update and had no problem with it. He stated it was an accurate report of the work that had been done, but there was a great deal more of work that had to be done. He explained that he had spoken with the engineer for the project and was told they were using the 900 block as a test case to see how the mobile homes, which had the violations, could be powered up and how cooperative the residents would be.

Chairman Vordermeier stated it was his understanding that even if the park came into compliance, many of the residences would not be able to accept the new plumbing and electric because they were too old.

Mr. Strawn remarked the major concern was the older mobile homes which had been altered electrically. Until those violations were corrected, the City could not authorize them to hook up to the new system provided by the park.

Mr. Hayes asked when the assessment of the 900 block was going to be done.

John Yanoviak, President of Coral Tech Associates, stated his company was providing the engineering and construction management services for the Receiver. He explained they had met several times with Mr. Strawn regarding the 900 block, and the process was that they would apply for permits for the electrical connections, and then inspections would be done with the City to determine the suitability of each individual home for connection to the system.

Mr. Hayes proceeded to ask if they could then have a time frame regarding the completion of the remaining work to bring everything into compliance. Mr. Yanoviak confirmed and stated that would be a good barometer in respect to where they were going with the project, and then a schedule could be prepared for the project from start to finish. He stated that

**Reference: CE01110929**

Mak Hotel Assoc. Ltd.  
2275 State Road 84

Old Business

Ms. Batchelder stated this case had originally been heard on October 22, 2002 with compliance ordered by November 21, 2002. Current fines total \$1,600.

Michael Kelleher, presenting the owner, stated that they were to meet with John Smith in order to come up with a plan for the property. In the interim, inspections had been done and work was progressing. Mr. Kelleher further stated that he had met with John Smith yesterday regarding the bulk of the expensive repairs for the property, and he agreed that 90 days would be necessary to complete "The Villager," a four-story tower. Upon completion of that tower, the second floor of the two-story section of the tower would be vacated so work on the balcony railings could proceed forward and would require another 60 days. All work would be completed within the 150 days and inspected, and the remaining violations would be complied with by that date as well.

Wayne Strawn, Building Inspector, stated that the meeting was held as stated and John Smith had subscribed to the ideas and time frames as proposed by Mr. Kelleher. He stated that Mr. Kelleher was not the Registered Agent for Mak Corporation and, therefore, could not sign the Stipulated Agreement.

Mr. Jolly, Assistant City Attorney, stated that the issue was whether the Board was satisfied with the representation Mr. Kelleher was making to them.

Chairman Vordermeier asked who had been cited in this matter. Ms. Batchelder replied that MAK Hotel Association had been cited and was signed by L. Gonzalez. Notice was also sent to the Registered Agent of MAK Hotel Association and it had also been signed by L. Gonzalez. Ms. Batchelder also stated that a notice was also sent to the Manager of the Association and it too had been signed by L. Gonzalez.

Mr. Jordan suggested that Mr. Kelleher meet with the owner of the company and obtain something in writing that he was their representative.

Chairman Vordermeier reiterated that the Board would prefer to have a letter of authority presented to them. Mr. Kelleher agreed to do so.

**Motion** made by Mr. Phillips and seconded by Mr. Hayes to approve the extension of time in accordance with the terms and conditions set forth in a letter subject to its execution by John Smith, and duly executed and recorded by the Company. Board unanimously agreed.

Ms. Batchelder stated the Stipulation was to have the information verified. Mr. Jolly explained that if representation was not approved as stated, the Board could then take action.

**Reference: Case CE02061223**

Vistamar Management Group  
2839 Vistamar Street

FBC 104.1 - There have been physical alterations and improvement to the building without first obtaining the required building permit. Such items include, but are not limited to the following: (1) Demo interior walls; (2) Demo and build new bathrooms (Note: Obtained permit # 02081691, but this does not cover the whole scope of the work); (3) Electrical work; (4) Air-conditioning work; (5) Shed in backyard:  
FBC 104.2.4 - Plumbing for bathrooms and kitchen with all new fixtures without first obtaining required permits. FBC 104.2.5 - Electrical work in bathroom and other rooms without first obtaining required permits. FBC 104.2.11 - Air-conditioning work without first obtaining required permits. FBC 3401.6 - The following items need maintenance: (1)

Mohammed Malik, Building Inspector, stated the case number, property location, and also stated the violations were as listed on the agenda. He recommended 180 days to come into compliance and then a fine imposed of \$50 per day, per violation.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to find in favor of the City and order compliance in 180 days or a fine imposed thereafter of \$50 per day, per violation. Motion carried unanimously.

**Reference: CE99051743**

Johny Dean Evans  
824 NW 16 Avenue

Old Business

Ms. Batchelder announced that a letter had been distributed to the Board regarding this matter.

**Motion** made by Mr. Phillips and seconded by Mr. Mitchell to approve a 60-day extension of time. Motion carried unanimously.

**Reference: CE02030345**

Jean-Louis Roscelyn  
1214 NW 4 Avenue

Sec. 9-281(b) - There is an unlicensed Gray Pontiac Bonneville and two utility trailers in the rear yard. There is trash, rubbish and debris in the yard. The yard is overgrown and not being maintained. 9-280(b) - There are broken windows and missing screens. The front wall siding of the rear building is rotted in areas. 9-280(f) - The bathroom sink in the south side addition is not properly secured to the wall. FBC 104.1 - The following work was performed without

The building has been reroofed. (5) The interior walls of the main house do not match the layout of the plans on file with the City. (6) A kitchen has been added to the south side addition. (7) One window on the front wall of the south side addition has been removed and the wall closed up. (8) The window openings have been altered in size. (9) A portion of the windows have been boarded without obtaining a board-up building permit. FBC 104.2.4 - The following work was performed without first obtaining a plumbing permit: (1) The fixtures in the kitchen and the bathrooms have been replaced. (2) The water heaters in both buildings have been replaced. FBC 104.2.5 - The following work was performed without first obtaining an electrical permit: (1) The electrical service has been upgraded. (2) The main house kitchen circuit breaker box has been installed without a permit. (3) The wiring to the main house water heater has been upgraded. (4) The circuit breaker box added to the north exterior of the south side addition was installed without a permit. FBC 106.1 - The rear building and the south side addition are being rented as separate apartments without first obtaining a certificate of occupancy from the Building Official. The main house was built as a single family home. The south side

the rear the rear building kitchen light fixture. These elements of the buildings are not maintained in a safe condition.

Ms. Batchelder announced that service had been through posting, according to Florida State Statute 162, on the property by Inspector Reardon on November 14, 2002.

Kenneth Reardon, Building Inspector, read the case number, property location, and proceeded to state that the violations were as listed on the agenda. He stated the City was recommending a 60-day compliance period so the property could be brought into compliance, and thereafter, a fine be imposed of \$100 per day, per violation, and that the Order be recorded.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to find in favor of the City and to order compliance within 60 days or a fine be imposed of \$100 per day, per violation. Board unanimously approved.

**Reference: CE02091678**

Synergy Investment Group  
139 SW 21 Way

FBC 104.1 - The windows were replaced without first obtaining a building permit.  
Sec. 9-313(b) - The house numbers are not properly displayed.

Ms. Batchelder announced that Certified Mail had been sent to Gary Maisel, P.A., Registered Agent, signed by Jeanne Mazzatent on November 4, 2002. Certified Mail was also sent to Ben Stern, Director, signed by D. DeCandis on November 4, 2002. Certified Mail was also sent to Synergy Investment Group signed by D. DeCandis on November 4, 2002.

Kenneth Reardon, Building Inspector, stated the case number, address of the property, and stated that the violations were as listed on the agenda. He requested they be given a 30-day timeframe in order to comply with FBC 104.1 and a 7-day extension in order to comply

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to find in favor of the City and order compliance within 30 days or a fine would be imposed of \$200 per day, per violation. It was further ordered that the Order be recorded in the public records.

**Roll call on motion:** YEAS: Bob Young, Gerald Jordan, John Phillips, Alan Vordermeier.  
NAYS: Larry Hayes and Sam Mitchell.

**Reference: CE02081212**

Federal National Mortgage Association  
1416 NW 11 Street

Old Business

Ms. Batchelder stated that Certified Mail had been sent to Federal National Mortgage Association signed by J. Blossomgame on November 6, 2002.

Douglas Kurtock, Building Inspector, stated the case number, address of the property, and stated the violations were as listed on the agenda. He explained this was a case of expired building permits and he asked the Board to grant the owner a 30-day timeframe in order to comply with the Code, and thereafter a fine imposed of \$100 per day.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to find in favor of the City and order compliance within 30 days or a fine be imposed of \$100 per day. Motion carried unanimously.

**Reference: CE02100890**

Edmund Waterman  
721 N. Federal Highway

FBC 104.1 - There have been physical alterations and improvements to the interior of the building without obtaining the required permits. The scope of the work includes, but is not limited to: (A) Installation of drywall and framing (B)



but is not limited to: (A) Installation of electrical lighting and outlets

Ms. Batchelder announced that Certified Mail had been sent to Edmund Waterman signed on November 1, 2002, signature illegible.

Douglas Kurtock, Building Inspector, stated the case number, address of the property, and stated that the violations were as listed on the agenda. He recommended that the Board grant a 30-day timeframe so the owner could comply, and thereafter a fine imposed of \$25 per day, per violation.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to find in favor of the City and order compliance within 30 days or a fine imposed of \$25 per day, per violation. Motion passed unanimously.

Chairman Vordermeier asked Ms. Batchelder if they received a "No Service" was it sent out a second time. Ms. Batchelder stated that sometimes they send them out again as Certified Mail and regular mail. If no answer is received then they do a posting.

### **Cases Pending Service**

Ms. Batchelder stated that the following cases had been withdrawn pending service to the respondents:

CE02031962	CE02081201	CE02100390
CE02080860	CE02090389	CE02110100
CE02080976	CE02090615	CE02110101

### **Cases Complied**

Ms. Batchelder stated that the following cases were in compliance:

CE00042260	CE02081944	CE02110097	CE110102
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**Old Business Cases with No Respondents**

CE01111101

**Claims of Lien**

Ms. Batchelder announced that there were 10 cases for which compliance was not achieved within the approved time frame and the Board's approval was needed in order to continue enforcement.

Mr. Jordan stated that two of the cases on the list had been given extensions.

Ms. Batchelder explained that most of the time they received the notice regarding the lien process, and that was why they appeared on the agenda. She stated the two cases today were an exception to the rule because normally they would have been taken off, but in both cases ample time had been provided for the owners to come into compliance, along with extensive fines.

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to lien the 8 properties, but not lien CE00061475 or CE01091059. Motion carried unanimously.

**Approval of Minutes**

**Motion** made by Mr. Jordan and seconded by Mr. Phillips to approve the minutes of the August and September meetings. Motion carried unanimously.

Chairman Vordermeier stated the business for the Code Board was concluded, and they would now proceed to "The Good of the City."

**For the Good of the City**

Mr. Bruce Jolly stated that last month there had been discussion among the Board

**PROPOSED RESOLUTION**

On September 11, 2002, the State Attorney General issued Opinion 02-62 which the Board Attorney compels conclusion that the Board does not retain authority to reduce a fine in which it previously proposed by Order when recorded in the County Public Records. The Board wishes to participate in the process by which applications for fine reductions are considered. Therefore, be it resolved:

That the City of Fort Lauderdale Code Enforcement Board requests that the City Commission to direct City staff to first submit applications for the reduction of fines to the Code Enforcement Board for consideration and recommendation to the City Commission before final action is taken in accordance with Section 162.09.

Mr. Jolly explained this was what had been suggested, and that they ask the City Commission for the authority to participate in the process, and consider and recommend for ultimate City Commission approval in accordance with the Statute.

Mr. Phillips asked for a clarification as to whether this Board would be involved in the process before the claim of lien was executed and recorded, or thereafter. Mr. Jolly stated that it would be after the claim of lien was executed and recorded, but before the City Commission acted on any application for reduction of fines.

Chairman Vordermeier added that it would be after City staff had acted. He further stated that if it had been recorded, it would then go to staff. If the person was not satisfied after that, it would once again come back before this Board, and then on to the City Commission.

Mr. Jolly stated that the language could be changed to include that if the Board wished. Chairman Vordermeier reiterated that was what he thought the resolution would contain. Mr. Jordan replied that would give this Board one more "shot" at the matter. Mr. Phillips remarked that "if something was not broke, don't fix it." He did not feel that the system was "broken." He further stated that he had read the statutes and the attorney's opinion, and also did some research on the matter, and he did not feel that anything should be fixed. He

they would overturn everything that was done and the City would wind up in a big turmoil. He felt this was an intermediate way to resolve the problem temporarily.

Mr. Phillips stated if a Write was filed, it was not a class action and would not wipe out years of decision making. Chairman Vordermeier remarked it would open the door for people to do this. Mr. Phillips remarked that he disagreed.

Mr. Jolly remarked that this City would not be upset. He stated that the City would not have to bring action before this Board and they would not be involved in the process.

Mr. Phillips stated there was a built in action and would still go before the City Commission. Mr. Jordan agreed, but stated it would still be going through a large group of people, and not just one person in the City.

Chairman Vordermeier remarked that the City Commission would be receiving input from this Board, along with staff's opinion. Mr. Jordan remarked that he did not know the circumstances behind the 8 cases that had been liened today. Chairman Vordermeier remarked that this could be one more safety level in the process, and that the only cases that would come back before this Board would be the ones who did not feel they were treated fairly at staff level.

Mr. Jolly agreed and stated that the resolution should reflect that, and in the last few months cases did not get before this Board when they wanted to be scheduled. He warned the Board that they should be wary of this, and that he did not have any reason to believe that the City Commission would act on this matter or approve it. In addition, he stated if this was approved, the Board's agenda would be increased considerably.

Mr. Jordan stated if the agenda became too lengthy, it could be turned over to the General Master. Mr. Jolly remarked that the General Master did not have authority. Mr. Jordan corrected himself and stated that he meant the Special Master. Mr. Jolly stated that Special Masters did not have authority to act on liens. Mr. Jordan stated they could act on other cases.

**Motion** made by Mr. Jordan and seconded by Mr. Hayes to adopt the resolution that had

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Mr. Phillips remarked that for the record he believed that Chapter 162 prevented this.

The Board voted to accept this resolution, except for Mr. Phillips. Motion carried 5-1.

There being no further business before the Board, the meeting was adjourned at approximately 2:32 p.m.

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Chairman, Code Enforcement Board

ATTEST:

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Margaret A. D'Alessio,  
Recording Secretary

NOTE: The agenda associated with this meeting is incorporated into this record by reference.