

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, June 8, 2006 at 7:00 p.m.**

	Attendance	2006 Cumulative Attendance 3/06 to 3/07		Total Meetings
		<u>Present</u>	<u>Absent</u>	
<u>Members</u>				
Douglas Reynolds, Chair	P	4	0	4
Harry MacGrotty, Vice Chair	P	3	1	4
Caldwell Cooper	A	1	3	4
Ginnee Hancock	A	3	1	4
David C. Svetlick	A	3	1	4
Pat Mayers, Alternate	P	4	0	4
Laurie Watkins, Alternate	P	2	2	4
<u>Staff Present</u>				
Marcia Gair, Board Clerk	P			
Richard Giuffreda, Board Attorney, Alt	P			
Scott Walker, City Prosecutor	P			
Sgt. Anthony Vinson, Liaison	P			
Jamie Opperee, Recording Clerk	P			

1. Call meeting to order, Pledge of Allegiance

Chair Reynolds called the meeting to order at 7:00 p.m.

2. Roll call, witness sign in, swearing in

3. Approval of minutes for May 11, 2006

Motion made by Ms. Mayers, seconded by Vice Chair MacGrotty to approve the May 11, 2006 minutes as submitted. In a voice vote, the motion passed unanimously.

4. Case Number 06-01-03, 1491 Northwest 22 Street

• **Notice of Status Hearing**

Sgt. Vinson reported on the status of the case. Sgt. Vinson stated that Mr. Brown had achieved the final requirement to evict the tenant on May 15, 2006.

Mr. Charles Brown, owner of the property was present. Mr. Brown reported that the tenant has vacated the premises.

Chair Reynolds asked Sgt. Vinson if all requirements were now satisfied. Sgt. Vinson replied yes and that no further relief is requested from the Board.

Chair Reynolds clarified for Mr. Brown that the Board retains jurisdiction over the property until January 12, 2007, and that he could be called back during that time if any additional events occur on the property that require redress.

5. Case No. 06-01-02, 734 Northwest 4 Avenue
• **Notice of Status Hearing**

Sgt. Vinson reported on the status of the case. The items that were outstanding, Items 1, filing of No Trespass Affidavit and posting on building, and Item 4, repair existing lighting and install flood lighting were both complied with on May 20, 2006. Sgt. Vinson stated he verified the compliance personally.

Chair Reynolds asked when jurisdiction on the matter ends. Sgt. Vinson replied January 12, 2007. Sgt. Vinson stated no further relief is being sought on this property.

Ms. Kelly Elkins, attorney for the property owner was present. Ms. Elkins asked the Board for relief by reducing the amount of the fine. Ms. Elkins stated that the owner was late in completing the lighting because of the cost, which was over \$2,000.

Chair Reynolds asked Ms. Elkins how much had already been paid. Ms. Elkins replied that the owner paid the \$472.28 investigative costs on time. The outstanding fines are \$15,000. The delay for complying was due to the owner having to wait for the insurance reimbursement; he didn't want to incur out of pocket expenses.

Vice Chair MacGrotty stated he believed that 100% of the investigative costs were assessed. He asked if the full amount had been paid. Sgt. Vinson verified that the full investigative amount was paid.

Ms. Elkins stated that the owner proposes to pay 25% of the fine, \$3750, which he can pay in sixty days. Ms. Elkins stated that the property owner still has the sewer hook up to pay which is over \$6000.

Motion made by Ms. Mayers, seconded by Vice Chair MacGrotty, to consider modifying the fine.

Ms. Mayers stated that the property owner was very disrespectful to the Board and was defiant when asked for his compliance. Vice Chair MacGrotty stated that the owner made choices to proceed with other repairs rather than comply with the Board's orders.

Ms. Elkins apologized on behalf of her client. Chair Reynolds stated that he prefers not to assess fines; he prefers to provide incentives for complying. Chair Reynolds stated he would be open to reconsideration if the owner came before the Board in person and explained in a humble manner what he learned from this experience and what he did afterwards to adjust his behavior.

Ms. Elkins stated she explained to her client that she would come for him. Chair Reynolds stated that the owner needs to take responsibility for his own conduct.

In a roll call vote, the **Motion** to consider modifying the fine failed unanimously.

6. Case No. 06-04-07, 701 Northwest 21 Terrace
• **Notice of Status Hearing**

Sgt. Vinson reported on the status of the case. Sgt. Vinson stated that since the last meeting the property has been closed and has remained closed. The only remaining issue is the payment of the investigative costs which are due on the tenth of June, 2006. Sgt. Vinson reported he has visited the property personally.

Mr. Walker reported that several people have been arrested for trespassing on the property; however they have received no reports of narcotics or prostitution on the property.

Chair Reynolds asked if there is any additional relief requested by the City. Sgt. Vinson stated the fences are locked but the property has not been boarded up yet.

Chair Reynolds asked why this case is back for status hearing. Mr. Walker stated he requested it come back because of the seriousness of the case.

Sgt. Vinson stated they have not received any complaints from the neighbors. Ms. Watkins asked about the lighting that was an issue. Sgt. Vinson stated that he had not been to the property at night, but there have been no complaints received. Vice Chair MacGrotty asked that the property be checked at night.

Vice Chair MacGrotty asked if the fines have been paid. Sgt. Vinson stated that only the investigative costs are due in the amount of \$1,930.88, due on June 10, 2006.

Ms. Kelly Elkins, attorney for the owner was present. Ms. Elkins stated the renovations are underway; the owners are getting the property ready to sell. Mr. Walker stated there is a power source available for the construction workers, but it is turned off at night. Sgt. Vinson stated there is ambient light outside the property at night.

Chair Reynolds stated that jurisdiction remains in place until May 11, 2007 and the owner is on call until jurisdiction ends.

7. Board Discussion

There was no further Board discussion.

Next meeting July 13, 2006

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:29 p.m.