

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, September 14, 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	6	0	6
Harry MacGrotty, Vice Chair	P	5	1	6
Caldwell Cooper	P	3	3	6
Ginnee Hancock	P	5	1	6
David C. Svetlick	A	4	2	6
Pat Mayers, Alternate	P	5	1	6
Laurie Watkins, Alternate	P	4	2	6

Staff Present

Marcia Gair, Board Clerk	P
Bruce Jolly, Board Attorney	P
Scott Walker, City Prosecutor	P
Sgt. Anthony Vinson, Liaison	P
Sandra Goldberg, 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 July 13, 2006

Motion made by Mr. Cooper, seconded by Ms. Hancock to approve the July 13, 2006 minutes as submitted.

Chair Reynolds stated that one change was needed on page 2 to clarify that Mr. Kahn is the tenant on the subject property.

Mr. Cooper and Ms. Hancock accepted the change and in a voice vote, the motion passed unanimously.

4. Case Number 06-07-08, 200 West Sunrise Boulevard
• **Notice of Status Hearing**

The property owners, Mr. Dale Saunders and Mrs. Linda Saunders were present and approached the Board. Mr. Norman Kent, counsel for the owners, introduced himself to the Board.

Sgt. Vinson stated that since the date of the last hearing, there have been fifty-six calls for service to the site; only six calls related to nuisance abatement, but no additional cases have been received in his department.

Sgt. Vinson indicated that the owners had complied with all of the requirements of the stipulation agreement, namely:

1. The surveillance cameras are being monitored twenty-four hours a day.
2. Security guards are patrolling the property during all hours of operation. The store has changed their hours of operation from 6:30 a.m. to midnight.
3. The exterior light fixtures have all been repaired.
4. The store owner has removed all advertising material and cleaned the windows to allow visibility into the store.
6. The owner has paid the investigate costs of \$649.70.

Chair Reynolds asked if the City was satisfied that the owners have complied with all requirements. Sgt. Vinson and Mr. Scott Walker stated they are satisfied that the owners have fully complied.

Mr. Norman Kent stated that his clients, the Saunders, have complied with all the requests or orders of the Board. Mr. Kent continued that he had submitted a request to the Board's Attorney, Mr. Jolly, on July 25, 2006 requesting that the Board reconsider their decision based on the reason that Mr. Saunders did not have adequate legal counsel at the time the Board's orders were issued. Mr. Kent stated that Mr. Saunders relied on the advice of the City's counsel only. Mr. Kent stated he has filed a writ of certiorari in the circuit court asking that the court overturn the Board's decision of July 13, 2006.

Mr. Jolly stated that since the writ of certiorari has been filed in the courts, the Board does not have jurisdiction to act anymore on the case; filing in the court is tantamount to filing an appeal.

Mr. Kent stated that he will go to the circuit court and ask the court to relinquish jurisdiction in order to allow the Board to reconsider its decision. Mr. Jolly stated that would be the proper

procedure. Mr. Kent stated that they would consider tonight's hearing concluded by the Board acknowledging that the owners have complied with the Board's orders.

Chair Reynolds asked if there were any further comments on the case.

Mr. Charles Lack approached the Board to express his support for the owners and Mr. Kahn.

Ms. Pamela Rohloff stated that she has observed a great improvement in the area. Ms. Rohloff stated she feels safer; however, it appears the undesirable activity is moving over to the Laundromax area. Ms. Rohloff stated that the crack houses on NW 2nd Avenue have been demolished as well which has helped a lot.

Mrs. Linda Saunders stated that she feels that they have brought the problems on themselves by calling the police. Mrs. Saunders stated that when they received the notice for the Nuisance Abatement hearing they thought the Board would just be giving them suggestions on steps to take to reduce the problems. That is why they did not seek legal counsel at that time. Mrs. Saunders stated she felt the Board acted rashly in issuing the orders and would like the Board to reconsider.

Mr. Tony Featherly stated that the intent of the neighbors was to clean up the drug situation, not to harm the Saunders or the business in any way. The store has taken steps to solve the problem and the area has changed.

Mr. Kent asked that the minutes of the July 13, 2006 meeting be supplied to him.

5. Board Discussion

Chair Reynolds announced that this was the last meeting for Ms. Ginnee Hancock as she is relocating to Costa Rica. The Board wished her well and thanked her for her generous contributions over the years.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:34 p.m.