

**City of Fort Lauderdale
Nuisance Abatement Board Minutes
City Hall, City Commission Chambers, 1st Floor
100 North Andrews Avenue
Thursday, January 10, 2008 at 7:00 p.m.**

<u>Members</u>	<u>Attendance</u>	Cumulative Attendance 3/07 to 2/08	
		<u>Present</u>	<u>Absent</u>
Douglas Reynolds, Chair [7:45]	P	8	1
Harry MacGrotty, Vice Chair	P	8	1
Caldwell Cooper	A	7	2
Patricia Mayers	P	9	0
David C. Svetlick	A	6	3
Laurie Watkins, Alternate	P	8	1

Staff Present

Joyce Hair, Board Clerk
Bruce Jolly, Board Attorney
Lt. Wade Brabble, Liaison
Scott Walker, Assistant City Attorney
Detective Todd Bunin, Ft. Lauderdale Police
Liz Rivera, Recording Clerk, Prototype, Inc.

Guests

Richard Russell	Narinedat Roy
Jardish T.	Robert McKinzie
Louis Scholnik	Victor Glover
Emily Phillips	Chris Grzybowski
Francis Abdallah	P.J. Espinal
Luis Ugaz	Amjad Theeb
Pam Roloff	Robert Alcock
Patricia Dressler	Tim Smith
Donna Guthrie	Sayed Ali
Phyllis Berry	Bernadette Norris-Weeks
Sharon Woods	Randal Stinson
Jim Petrie	

1. Call meeting to order; Pledge of Allegiance

The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited.

2. Roll call; witnesses sign log; swearing in

Ms. Rivera called roll and determined a quorum was present.

Witnesses were sworn in.

3. Approval of minutes for December 13, 2007

Motion made by Ms. Mayers, seconded by Ms. Watkins, to approve the minutes of the December 13, 2007 hearing. In a voice vote, the motion passed unanimously.

**4. Case Number 07-06-05, 800 Northwest 10 Terrace - The Caribbean Food Store
Owner: Ray and Ray Inc.**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that the store was not in compliance with item 6 of the recommendations: the requirement to have a licensed, bonded security guard present on the property during operational hours.

Lt. Brabble stated inspections had taken place August 9, 2007; November 2007, December 26 and 27, 2007; and January 3 and 7, 2008. At those times, security was present, but the employee was not licensed and bonded. The property had 49 calls for service in the past 6 months, 6 of which were nuisance related. In December, there had been 7 calls for service, one of which was nuisance related.

Mr. Narinedat Roy, owner, said there had been a reduction of people loitering on the property since the video cameras had been installed. He admitted the store did not make sufficient money to afford to pay a licensed and bonded security guard.

Lt. Brabble said the owner had complied with the other 10 recommendations. There had been no narcotics buys at the property since the order was implemented on July 16, 2007. Mr. Roy requested relief from the recommendation to hire the bonded, licensed security guard.

Vice Chair MacGrotty then opened the public hearing.

Ms. P.J. Espinal, South Middle River Civic Association member, said there were several properties with similar problems and, for another property last year, they had suggested

a community fund to hire additional private police. Mr. MacGrotty agreed this was a positive idea, but it was not something the Board could require.

With no one else from the public wishing to speak on this item, the public hearing was concluded.

Ms. Watkins asked Lt. Brabble to describe the changes made at the property since July. Lt. Brabble said the mounted police units in the area indicated to him that the problem had somewhat subsided at the property. He attributed this to the cooperation of the owner. Lt. Brabble admitted that the entire area was inundated with crime, especially narcotics sales.

Mr. MacGrotty asked if Lt. Brabble would agree the owner should be granted relief from the security guard recommendation. Lt. Brabble said this had not been a police recommendation.

Motion made by Ms. Mayers, seconded by Watkins, for the owner to return in 30 days for another status hearing, and not to impose any fine at this time. She also wanted the Board to be informed who originated any nuisance related calls within the next 30 days. In a roll call vote, the motion passed 3 – 0.

Mr. Walker recommended bringing in representatives from the tire store, the Laundromax, and this store together for a status hearing to discuss the suggestion made by Ms. Espinal.

**5. Case Number 07-10-08, 1028 Northwest 3 Avenue – Residence
Owner: Vincent Metraxia**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that no property representative was present. The property had not complied item number 5: the requirement to repair the broken windows, or number 6, the property was still strewn with litter, mattresses and old appliances. As of the last inspection on January 7, these items were in compliance. Other items were not in compliance, but the deadline had not yet expired.

Lt. Brabble stated the property was unlocked and wide open, and was a “base hole,” a property people visited in order to smoke crack. Ms. Mayers was informed the Board did not have the authority to order the building boarded up.

Vice Chair MacGrotty then opened the public hearing.

Ms. Pam Roloff, neighbor, said she had driven by the property that day and there had been what she believed to be a pimp and prostitute loitering outside the building. She also had been approached by four drug dealers coming from the building.

Ms. P.J. Espinal said this was part of the problem that fed over to the Laundromax property that the neighborhood was constantly fighting.

With no one else from the public wishing to speak on this item, the public hearing was concluded.

Motion made by Ms. Watkins, seconded by Ms. Mayers, to find the property had failed to come into compliance regarding items 5 and 6 of the order dated 12/21/07, and to impose a fine in the amount of \$250 per day, pursuant to item number 7, not to exceed a total of \$15,000, for each day of noncompliance. In a roll call vote, the motion passed 3 – 0.

Mr. Tim Smith said the Board had made a difference with some of the properties in his neighborhood since the last hearing because they had “laid down the law.” Mr. Smith was amazed this property owner had not appeared today and had not boarded up the property yet. He asked the Board to send a “message” to this property owner. Mr. Smith believed the statute allowed the Board to “close a building down for a year.”

Ms. Watkins asked if the Board had the authority to board up the building in the interest of safety. Mr. MacGrotty advised the neighbors call Code Enforcement to report the property as abandoned.

**6. Case Number 07-09-07, 1300 Northeast 4 Avenue – Citgo Gas
Owner: Circle K Stores**

- **Notice of Status Hearing**

Lt. Brabble reported there were representatives from Circle K present. The property was in compliance regarding item number 5 which required the owner to maintain existing lighting. As of the inspection on January 2, 2008, the lights on the southeast corner of the parking lot were not operable. Two other items, numbers 4 and 7, were in compliance, but the deadline for these had not yet expired. Lt. Brabble stated there had been 212 calls for service over the past six months; 38 of these were nuisance related. In the last 30 days there had been 8 calls for service; none of these was nuisance-related.

Ms. Emily Phillips, attorney representing Circle K, said they had hoped the sub-tenant, Mr. Israeli, would attend this evening, but he had not. She agreed to contact him the

following day. Ms. Phillips said Circle K was willing to cooperate with the City to get the property into compliance and requested an extension to get the lighting issue resolved.

Ms. Mayers believed Circle K was not putting enough pressure on their tenants, and the tenants were "getting away with highway robbery." Ms. Phillips said Circle K had issued a letter a few days ago to the subtenant informing him that if the property was in compliance, he would be required to vacate it within 30 days. The tenant's offer to purchase the property had been rejected.

Motion made by Ms. Watkins, seconded by Ms. Mayers, to find the property had failed to come into compliance regarding item 5 per the Order dated 11/20/07, and that a fine be imposed not to exceed \$250 per day for each day of noncompliance, not to exceed a total fine of \$15,000; pursuant to item number nine, investigative costs to be imposed as well, totaling \$298.00, plus \$223.57.

Mr. Sayed Ali, store manager, reported that on January 8, the lights had been repaired. He had called Lt. Brabble to report that everything but the payphone was now in compliance. Lt. Brabble said he had received this call, but there had not been the opportunity to reinspect property as yet.

Vice Chair MacGrotty opened the public hearing.

A resident in attendance reported she had driven by the property on her way to this hearing and all of the lights were operating.

Ms. Watkins withdrew her motion.

Motion made by Ms. Mayers, seconded by Ms. Watkins, to impose a fine of \$250 per day for the 6 days the property was in compliance.

Mr. Jolly reported the only Order he had was dated November 14, 2007. He did not recommend the Board impose the fine. Ms. Mayers withdrew her motion.

Mr. Tim Smith, President of the Middle River Terrace Civic Association, said the Board had not wasted its time; it appeared they had gotten the manager's attention at the previous meeting. He had painted the curbing, removed the ficus overgrowth, changed out the lights, and the manager himself was providing security in the parking lot. He said he had seen positive action, and the owner understood his store was a problem and the Board would make him fix it.

Ms. Roloff agreed that the property looked better, but remarked debris remained all around the building; she asked the Board to require the owner to clean this up, and to paint the building.

Ms. Phillips agreed to speak to the Circle K representatives the following day regarding the trash cleanup.

Motion made by Ms. Watkins, seconded by Ms. Mayers, for the representative to return the following month for a status conference. In a roll call vote, the motion passed 3 – 0.

[Chair Reynolds arrived at 7:45]

**7. Case Number 07-11-10, 519 Northwest 23 Avenue – The Parisian Motel
Owner: Tania Ouaknine**

- **Notice of Status Hearing**

Lt. Brabble stated they had determined the property was not in compliance. The owner was present with her attorney.

Mr. Luis Ugaz, attorney for the owner, said he had filed a motion for a continuance and a motion to stay the proceedings. He explained that the Order dated December 24, 2007 ordered compliance within either 30 or 60 days after the entry of the order. In some cases, the compliance date related back to December 13, 2007, which was prior to the date the evidence was heard.

Mr. Ugaz said his client therefore had some due process concerns, and felt she may need to apply to the Circuit Court to seek relief regarding the way the order had been framed. This must be done within 30 days of the issuance of the Order. Mr. Ugaz assured the Board his client wanted to comply with the Order, but asked that she be granted an extension of time to comply, or for the time to allow her to appeal to the Circuit Court.

Mr. Ugaz presented a report from his client's physician diagnosing Ms. Ouaknine with pneumonia. He requested that his Motion for a Continuance be granted if the Motion to Stay was denied, as his client wanted to speak at the hearing to rebut witness testimony.

Chair Reynolds referred to the doctor's report, which indicated Ms. Ouaknine's condition was improving. Mr. Ugaz said because of his client's illness, he had been unable to consider all of his client's evidence, and how to proceed. He reiterated that his first Motion was to stay the Order to allow time to comply or appeal the Order. Mr. Ugaz

objected to allowing the police to report the property status because he wanted the opportunity to properly rebut testimony and cross-examine witnesses.

Regarding the Motion to Stay, Mr. Ugaz argued that the Florida Statute which provided his client the opportunity to appeal the Board's order allowed 30 days to either appeal or to address the contents of the Order. If the Order was dated December 21, 2007, his client had until January 20, 2008 to comply. Mr. Ugaz asked the Board "not to act in a way that will be in contravention of the Florida Statute affording my client of the legal right to either appeal or take action in connection to the Order from December 21st within at least 30 days." He said any action taken by the Board today would impair his client's right to take action. Mr. Ugaz said a stay would also be required if his client wanted to appeal to the Circuit Court.

Mr. Jolly explained that the motion should be for an extension of the time to comply. A stay request was only appropriate once an appeal had been initiated while awaiting a decision from the Circuit Court. Mr. Jolly felt Mr. Ugaz was getting ahead of himself because there was no appeal filed as yet. Mr. Ugaz said this was why he had also entered a Motion for a Continuance, to allow his client the full 30 days during which to appeal. Mr. Ugaz asked the Board for an extension for his client to comply with the Order.

Motion made by Ms. Watkins, seconded by Ms. Mayers, to extend the time for compliance until the Board's next hearing. In a roll call vote, with Chair Reynolds opposed, the motion passed 3 – 1.

Mr. Walker informed the Board that if this motion passed, it would not stop Lt. Brabble from presenting the status report. Mr. Ugaz objected to the status report, as Lt. Brabble's testimony would become evidence.

Chair Reynolds then opened the public hearing.

Ms. Phyllis Berry asked the Board to explain to the community what was going on.

Chair Reynolds explained that the owner had retained counsel, and had 30 days during which to file an appeal. The owner's attorney was requesting additional time to comply and/or file an appeal. Ms. Berry confirmed with Chair Reynolds that all of the recommendations made by the Board at the previous meeting were still required; the owner was just granted additional time.

Mr. Ugaz made a motion to continue the status conference to allow his client and himself to return and present evidence.

Motion made by Ms. Watkins, seconded by Ms. Mayers, to approve Mr. Ugaz's request. In a roll call vote, the unanimously motion failed 0 – 4.

Mr. Walker informed Mr. Ugaz that the Board had ordered several items to be complied with immediately, and the Board had a right to hear the status of these items. He recommended the Board reject Mr. Ugaz's request so they and the public could be informed as to the current status of the Parisian.

Mr. Ugaz requested the right to object to or rebut any testimony presented, and to introduce evidence at the next hearing.

Lt. Brabble pointed out that the critical items were number 6, requiring the owner to provide the Police Department with receipts and sales records maintained for tax purposes upon request, and number 8, requiring the owner to refrain from renting any room for less than one day, beginning December 13, 2007. He reported they had been unable to substantiate what type of rentals were occurring. Lt. Brabble said the property was inspected on December 17, 18, and 26, 2007; and January 2, 3, and 4, 2008 and the owner had refused to provide the required records, informing them she was seeking legal counsel.

Mr. Jolly explained this was a status conference and therefore members of the public could be heard, and the police could report on the status of the property. The next hearing would be for enforcement.

Lt. Brabble informed Chair Reynolds there had been one call for service in the past 30 days; this was in reference to a trespasser. There had been no arrests on the property. Lt. Brabble confirmed the two other items that must be complied immediately, the requirement to remove the condoms from the lobby and the removal of the trash and debris, were in compliance.

Ms. Bernadette Norris-Weeks reported that the prostitutes were now "pouring out into the neighborhood" and onto the street corners, instead of being contained at the Parisian. Ms. Norris-Weeks said she had been calling Code Enforcement concerning the trash issue.

Lt. Brabble said he had no independent knowledge of the prostitutes moving into the streets of the neighborhood but now that he was aware, he would look into this matter.

Mr. Richard Russell agreed with Ms. Norris-Weeks that prostitution and drug activity had moved into the streets in the area. He said the perpetrators were present 24 hours a day.

Mr. Robert McKinzie said he had purchased property in the area a few years ago with the intent to live there. Mr. McKinzie felt it was obvious what was taking place at this property; although there was difficulty proving guilt and intent. He said the residents wanted to rid the neighborhood of this problem and asked the Board what else they could do.

Ms. Sharon Woods said the property was for sale; she hoped it would be purchased and demolished.

Mr. Ugaz Objected to the witness testimony. He said his client could only control what occurred on her property and what was contained in the order, and she was doing her best to comply. He noted that what was occurring in the neighborhood was not on his client's property.

Chair Reynolds confirmed that this case would return to the Board at their next hearing on February 14, 2008.

**8. Case Number 07-12-11, 1801 W State Road 84 – Motel 6
Owner: Accor North America**

• Notice of Evidentiary Hearing

Lt. Brabble stated a representative of the owner was present. Lt. Brabble presented the problems identified at the property: in August 2007 and October 2007 an undercover officer contacted a female and made prostitution deals. There had been 112 calls for service at that location in the past six months; five of these were nuisance -related.

Lt. Brabble stated the following recommendations:

1. The owner will maintain a current Trespass Affidavit with the Police Department and post "No Trespass" signs.
2. The owner will install and maintain a minimum of six (6) exterior and one (1) interior (at the reception desk) video cameras that can be monitored by the clerk while at the counter, (according to all Code requirements) within sixty (60) days with video available to the Police Department during all business hours.
3. The owner will post video surveillance warning signs on exterior walls.
4. Management and assistants will attend crime prevention class administered by the Fort Lauderdale Police Special Investigations VICE unit.

5. The business will provide patrons with a crime prevention pamphlet upon registrations.
6. If any of the above-listed items are not complied with within the time frame set forth, a fine in the amount of \$250.00, per day, per item, not to exceed \$250.00 per day, will be imposed for each day of non-compliance.
7. The owner(s) is assessed 50% (\$245.28) of the investigative costs to be paid within 30 days. The Board will waive the balance (\$245.28) of the investigative costs if the owners comply with the Boards Order within the specified time frame(s). If the owners fail to comply within the specified time frame(s), the remaining 50% of the investigative costs will be assessed. (Total costs \$490.56)
8. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.

Lt. Brabble said they had met with Mr. Victor Glover, Senior Vice President of Safety and Security for Accor Hospitality, operators of Motel 6 throughout the country, and discussed the property. Mr. Glover had one exception to the recommendations although the owner had been compliant with all of the recommendations.

Mr. Walker said he had been in contact with the owner over the past couple of weeks. He explained that there was case law protecting the privacy rights of the people coming in and out of a motel. The owner had objected to the six exterior video cameras, and Mr. Walker asked the Board to strike this item. He advised the Board to accept the stipulated agreement less that requirement. Mr. Walker believed that attending the "vice class" would allow employees to recognize and catch this situation if it occurred again.

Mr. Victor Glover, said he oversaw approximately 700 motels across the country. He assured the Board that Motel 6 did not want or condone this type of business, and they worked with law enforcement nationally to combat this activity. Mr. Glover said he had discussed with Lt. Brabble and Detective Bunin additional steps they would take over and above the recommendations.

Chair Reynolds confirmed that Mr. Glover understood and agreed on behalf of the corporation that the Nuisance Abatement Board would have jurisdiction over the property for one year, and if he failed to comply with the stipulated agreement, a fine could be levied upon the property.

Mr. Walker submitted the police reports into evidence.

Chair Reynolds opened the public hearing. With no one wishing to speak on this item, the public hearing was then closed.

Motion made by Mr. MacGrotty, seconded by Ms. Watkins, to receive the evidence, approve the stipulated agreement that the property constitutes a nuisance and the terms and conditions set forth in the written terms and recommendations. In a roll call vote, the motion passed 4 – 0.

**9. Case Number 07-12-13, 101 Southwest 31 Avenue – Rainbow Food Store
Owner: Sabco Properties**

- **Notice of Evidentiary Hearing**

Lt. Brabble stated a representative of the owner was present. He described events as follows: on August 1 and 9, 2007, as well as September 5, 2007, there had been undercover purchases of crack cocaine at the property. There were 66 calls for service at the property in the past six months, nine of which were nuisance-related.

Lt. Brabble stated the following recommendations:

1. The owner will maintain a trespass affidavit on file with the Police Department and post “No Trespassing” signs on the east and south side of the property within seven (7) days.
2. The owner will install and maintain a minimum of three (3) exterior and at least (1) interior video cameras with recorders that can be monitored by management, (according to all Code requirements) within sixty (60) days with video available to the police department during all business hours.
3. The owner will post video surveillance warning signs on the exterior walls of the business within (30) days.
4. The owner will remove all advertisements and products obstructing the front windows.
5. The owner will maintain all exterior lighting.
6. The owner will remove any narcotic paraphernalia being sold from the convenience store within seven (7) days.
7. The owner will maintain the property free of debris and trash.

8. The owner is assessed 50% (\$364.62) of the investigative costs to be paid within (30) days. The Board will waive the balance (\$364.62) of the investigative costs if the owner complies with the specified time frame(s). If the owner fails to comply within the specified time frame(s), the remaining 50% of the investigative costs will be assessed. (Total costs \$729.24)
9. If any of the above listed items are not complied with within the time frame set forth, a fine in the amount of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of non-compliance.
10. The owner will appear before the Nuisance Abatement Board at the March Nuisance abatement meeting (or, if no meeting occurs at the succeeding Nuisance abatement meeting) for status hearing.
11. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.

Lt. Brabble said the Police Department had met with the store manager on at least two occasions, and the property was in compliance with most of the items already.

Mr. Louis Scholnik, attorney for the property owner, Sabco, informed the Board that the owner's representative and store manager were present. He said they were prepared to enter into a stipulation on behalf of his client regarding jurisdiction of the Board over the property and the recommendations -- with an explanation and a caveat.

Mr. Walker clarified that the property had been damaged in the hurricane and there had been contractor issues. The owner was in the permit application process for work to be done at the property right now. He believed the timelines requested were reasonable as of this moment.

Mr. Scholnik informed the Board that there had been litigation against two contractors and the entire process had to be restarted with each contractor. He assured the Board that the owner wanted to comply; however, some items might not be complete within 30 days. Mr. Scholnik stated the property had been brought before other City boards as well, and they were addressing those issues. He asked the Board to understand that it would not be possible to have an exterior lighting plan when they did not yet have an engineering permit to do exterior façade framing.

Mr. Scholnik suggested that the agreement be made "a little bit more realistic" considering the circumstances. Mr. Walker recommended keeping the compliance dates and advised Mr. Scholnik that at the March hearing, Mr. Walker would inform the Board of progress that had been made with the City permits. Mr. Scholnik

requested 90 days instead of 60 for the construction related items. Mr. Walker recommended requiring compliance with items 2 and 3 by the April 13, 2008 hearing date.

Lt. Brabble said the owner had already agreed to install temporary lighting. Part of the surveillance system had already been installed as well.

Chair Reynolds then opened the public hearing.

Ms. Donna Guthrie, Vice President of Melrose Homeowners Association, said they had been working with Code Enforcement and the police regarding the activity at the property. She said they had plans for an entrance to Melrose, but this could not be done because of the drug activity in the area.

Mr. Robert Alcock, Vice President, South Middle River Civic Association, said he had a friend in this neighborhood. Mr. Alcock stated he was a contractor, and contractors were hungry for work right now. He felt this property was a disgrace and there was no excuse for its condition.

Mr. Tim Smith informed the Board that there was a service available whereby security cameras could be ported to an IP address where anyone could check on activity at the property from any computer. Mr. Scholnik said they had done this in other communities and would be willing to do this here if it was available.

With no one else from the public wishing to speak on this item, the public hearing was concluded.

Mr. Walker clarified the amended items:

- Item 2, "within sixty (60) days" would be amended to read, "by April 13."
- Item 3, "within (30) days" would be amended to read, "within 1 week."
- Item 6 would be amended to specifically name the paraphernalia: glass rose stems, rolling papers, jewelry bags, Brasso and Chore Boys, and the items would be removed immediately.
- An additional item would be inserted after number 7, stating, "Upon direction and request from the City of Fort Lauderdale, the owner will supply video equipment that will allow images to be monitored by the City of Fort Lauderdale over the Internet."

Motion made by Ms. Mayers, seconded by Mr. MacGrotty, to accept the evidence into the record, to approve the stipulation as to jurisdiction and the recommendations of the City as amended. In a roll call vote (with Ms. Watkins opposed), the motion passed 3 - 1.

**10. Case Number 07-12-12, 2162 Northwest 6 Street – The Green Store
Owner: David Natour**

- **Notice of Evidentiary Hearing**

Mr. Walker confirmed no owner or owner's representative was present.

Lt. Brabble confirmed that notice had been sent via certified mail. He had not spoken to the owner, but had spoken by telephone with the store manager.

Mr. Walker moved that the police reports be accepted into evidence, and the property be declared a nuisance.

Lt. Brabble stated the following recommendations:

1. The owner will maintain a trespass affidavit on file with the Police Department and post "No Trespassing" signs on all sides of the property within seven (7) days.
2. The owner will install and maintain a minimum of four (4) exterior video cameras and one (1) interior video camera focused on the register with recorders that can be monitored by the clerk while at the counter, (according to all Code requirements) within sixty (60) days with video available to the police department during all business hours.
3. The owner will post video surveillance warning signs on the exterior walls of the business within thirty (30) days.
4. The owner will maintain all exterior security lighting on all sides of the building.
5. The owner will remove any narcotic paraphernalia being sold from the convenience store within seven (7) days.
6. The owner will maintain the property free of debris and trash.
7. The owner will allow the police department access to ALL areas of the property for inspection including the office and registers.
8. The owner will remove all stickers and product blocking north facing windows.
9. The owner is assessed 50% (\$735.34) of the investigative costs to be paid within thirty (30) days. The Board will waive the balance (\$735.34) of the investigative

costs if the owner complies with the specified time frame(s). If the owner fails to comply within the specified time frame(s), the remaining 50% of the investigative costs will be assessed. (Total costs \$1471.68)

10. If any of the above listed items are not complied with within the time frame set forth, a fine in the amount of \$250.00 per day, per item, not to exceed \$250 per day will be imposed for each day of non-compliance.
11. The owner will appear before the Nuisance Abatement Board at the February Nuisance abatement meeting (or, if no meeting occurs at the succeeding Nuisance abatement meeting) for status hearing.
12. The Nuisance Abatement Board will retain jurisdiction over the property for a period of one (1) year.

Mr. Walker requested that item 9 be changed to assess the total costs of \$1,471.68 against The Green Store.

Motion made by Mr. MacGrotty, seconded by Ms. Watkins, to established that the property was a nuisance pursuant to the statute, based on the evidence put into the record by the City.

Mr. Walker asked that the following changes be made to their recommendations:
Items 2 and 3, "within sixty (60) days" would be amended to read, "by the April Nuisance Abatement Board meeting."

Chair Reynolds then opened the public hearing.

A resident asked that this video be made available over the Internet as well, and Mr. Walker agreed to add this requirement. Mr. Jolly said he was reluctant to recommend that the Board make this a requirement. Mr. Walker said he would find some language by the April hearing that they could use for allowing such a requirement.

Mr. Robert McKinzie said the community agreed with the Board's additional requests. Ms. Phyllis Berry, Ms. Diane Shuler, and Ms. Sharon Woods, all stated they supported the recommendations.

Mr. Richard Russell thanked the Board for their diligent work, and asked that the carwash on 21st Terrace near the railroad be torn down.

Mr. Randal Stinson stated there were no nearby locations for light groceries. He had visited on one occasion, and ended up with spoiled food. He said this store was not an asset to the community.

Mr. Jim Petrie requested that a static camera be ported to an IP address, and that one person from the civic association be authorized to view the images.

Ms. Mayers asked to add the recommendation that the store be prohibited from selling alcohol and tobacco if it did not possess a valid State license. The Board agreed to amend the motion to include this provision.

Motion made by Ms. Watkins, seconded by Mr. MacGrotty, to approve the motion as amended. In a roll call vote, the motion passed 4 – 0.

11. Board Discussion

Thereupon, with no additional business to come before the Board, the meeting adjourned at 9:27 p.m.

[Minutes prepared by J. Opperlee, Prototype, Inc.]