

**CITY OF FORT LAUDERDALE  
 NUISANCE ABATEMENT BOARD MINUTES  
 CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
 100 NORTH ANDREWS AVENUE  
 THURSDAY, MAY 8, 2008 AT 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 3/08 through 2/09</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Douglas Reynolds, Chair	P	2	0
Laurie Watkins, Vice Chair	A	1	1
Linda Dawkins	P	1	0
Pat Mayers	P	2	0
David C. Svetlick	P	2	0
Nathaniel Wilkerson	A	0	2

**Staff Present**

Joyce Hair, Board Clerk  
 Richard Giuffreda, Board Attorney  
 Lt. Wade Brabble, Liaison  
 Scott Walker, Assistant City Attorney  
 Detective Joel Maney, Ft. Lauderdale Police  
 Hilda Testa, Recording Clerk, Prototype, Inc.

**Guests**

Louis Ugaz	Narinedat Roy
Wayne Johnson	Norman Kent
Frank Foulks	Lou Scholnik
Amjad Theeb	Gerald Singer
Pam Hills	Jagdish Tankesore
Tania Ouaknine	Mark Boyd
S.F. Ali	

**1. Call meeting to order; Pledge of Allegiance**

The meeting was called to order at 7:04 p.m. and the Pledge of Allegiance was recited.

**2. Roll call; witnesses sign log; swearing in**

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

Witnesses were sworn in.

**3. Approval of minutes for March 2008**

**Motion** made by Mr. Svetlick, seconded by Ms. Mayers, to approve the minutes of the Board's March 2008 hearing. In a voice vote, the motion passed 4 - 0.

**4. Case Number 08-02-02  
1300 Northeast 2 Avenue – Residence  
Owner: Jan Enterprises LLC [Wayne Johnson]**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that there had been nine calls for service to this property in the past six months, none of which was nuisance related. The property was currently in compliance, but there was an outstanding balance of \$350.

Mr. Wayne Johnson, the owner, reported he had paid the \$350. He informed Lt. Brabble that he had been living at the property until recently. Lt. Brabble informed Chair Reynolds that the Board would have jurisdiction over the property for another eight months. Lt. Brabble did not recommend another status conference at this time.

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

- **Notice of Status Hearing**

Lt. Brabble informed the Board that there had been five calls for service to the property in the past six months, none of which was nuisance related. In the past month there had been one call for service and this was not nuisance related. He reminded the Board that there was currently a court stay on the property. Mr. Giuffreda stated that as far as he knew, there had been no ruling regarding the property.

The Board agreed to request a status conference at their next meeting.

**6. Case Number 07-12-13  
101 Southwest 31 Avenue – Rainbow Food  
Owner: Sabco Properties Inc.**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that there had been 52 calls for service to the property in the past six months, four of which were nuisance related. In the past month, there had

been two calls for service to the property, neither of which was nuisance related. The property was currently in compliance.

Lou Scholnik, attorney for the property owner, agreed that the property was in compliance. He stated the property was under 24-hour surveillance via Internet with the Police Department. Lt. Brabble stated the Board's jurisdiction would extend another nine months, and he did not recommend a status hearing at this time.

**7. Case Number 08-02-03  
400 West Sunrise Blvd – Mo' Money Pawn  
Owner: Phyllis and Gerald Singer**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that there had been 31 calls for service to the property in the past six months, one of which was nuisance related. In the past month, there had been seven calls for service to the property, none of which was nuisance related. The property was currently in compliance.

Mr. Gerald Singer, owner, confirmed the property was in compliance.

Lt. Brabble stated the Board's jurisdiction would extend another nine months, and he did not recommend another status hearing at this time.

**8. Case Number 07-10-09  
1301 Northeast 4 Avenue – Coastal Gas  
Owner: Nicholas Kladis**

- **Notice of Status Hearing**

Lt. Brabble requested postponement of this item to prepare evidence and provide notice to the owner of additional incidents at the property. Mr. Walker stated he wanted the owner to be present to be made aware of and to address the problems at the property. He noted that when the owner was in the country, the property was under control; when he left, the problems arose again.

Chair Reynolds recommended the Board discuss the violations for which the property had already been cited.

Lt. Brabble informed the Board that the property was not in compliance regarding Item 7, the on-premises security. Mr. Walker reiterated that in the owner's absence, the manager did not work to keep the property in compliance.

Ms. Pam Roloff, resident, remarked that the parking lot was so large, the store personnel could not always see activity going on there. She stated there was not enough Police presence in the area. Mr. Walker explained that the owner had patrolled the parking lot when he was in the country, but the manager had not continued this practice after the owner left.

S.A. Ali, manager of Coastal Gas, stated he was on the property from 2:00 P.M. until 12:00 Midnight. He said he had complied with all the requests after he received the notice. Since he could not afford a security guard, he would monitor activity in the parking area and chase anyone engaged in illegal activity. Ms. Mayers felt the manager should be regularly patrolling the parking area, not waiting for an incident to be viewed on the security camera before chasing someone.

Mr. Ali explained that currently, the store was netting almost nothing because it was in very bad condition when he took it over six months ago and he was putting a lot into it. He estimated a security guard would cost \$2,000 to 3,000 per month.

Lt. Brabble reported that in the past 30 days, there had been one nuisance related case reported through dispatch at the property. At least three nuisance related arrests had been made at the property in the past 30 days. Mr. Walker noted that other businesses that could not afford a bonded security guard had used employees to maintain a presence in the parking area.

Lt. Brabble informed the Board that in the past six weeks, the Fort Lauderdale Police Department had initiated an action plan for the Northeast 13<sup>th</sup> Street corridor. Part of this plan targeted this particular area, and the street narcotics unit had made 150 arrests in the area in the past six weeks. Lt. Brabble felt there had been a great deal of progress since this plan was instituted. He remarked that inspectors had never seen security personnel at the property.

Mr. Ali reported that some of the drug dealers had come to his home to threaten him for reporting them to Police. Chair Reynolds suggested Mr. Ali confer with the owners of the Caribbean Food Store regarding the effective measures they had taken. Mr. Ali agreed to do this. He described to the Board how the drug dealers used the parking lot to transact business.

Ms. Mayers requested that Mr. Ali bring his accounting records for the past three months to the Board's June meeting to prove he could not afford to hire a security guard. Mr. Reynolds requested that Mr. Ali bring his accounting records for the past months to the Board's June meeting.

A status hearing was scheduled for June 2008.

**9. Case Number 07-06-05**  
**800 Northwest 10 Terrace – Caribbean Food Store**  
**Owner: Roy and Roy Inc.**

- **Notice of Status Hearing**

Lt. Brabble informed the Board that in the past six months there had been 38 calls for service to the property, two of which were nuisance related. In the past month, there had been 1 call for service to the property which was not nuisance related. The property was in compliance, with the exception of the bonded security guard.

Mr. Narinedat Roy, owner, stated the nearby church was working with him to resolve issues at the property. Mr. Roy explained that one on-duty employee always wore a security tee shirt, and someone patrolled the property every half hour. He noted that Police had increased patrols at the location as well. Mr. Roy believed the cameras had helped.

**Motion** made by Ms. Mayers, seconded by Mr. Svetlick to cease the requirement for the bonded security guard and require the employees to continue their patrols of the property every thirty minutes. In a roll call vote, motion passed 4 – 0.

Lt. Brabble confirmed that jurisdiction of the property would end in July and he did not recommend another status conference at this time.

**10. Case Number 08-02-01**  
**200 West Sunrise Blvd – Star Food Mart**  
**Owner: Dale and Linda Saunders**

- **Notice of Evidentiary Hearing**

Mr. Norman Kent, attorney for the owner, stated there were two procedural issues the Board must address prior to hearing this case. He asked if the lessee had personally been noticed. Mr. Kent said he had filed a writ of prohibition in Circuit Court that was heard today, but he did not know how the judge had ruled. If the Judge had issued a rule to show cause, this would nullify the Nuisance Abatement Board hearing.

Chair Reynolds stated it was the owner's responsibility to prove the rule to show cause had been issued. Mr. Kent agreed it was at the Board's discretion to move forward or not.

Chair Reynolds stated the Board would consider this a request for a continuance based upon Mr. Kent's argument. Mr. Giuffreda confirmed there would be no legal

ramifications if the Board proceeded and the Judge had issued a rule to show cause of which the Board was unaware. In his opinion, the Board could hear this. He confirmed that if the Judge had issued the writ, the Board's action would be nullified.

Mr. Walker stated he was ready to go forward, and would abide by the Board's wishes. He confirmed that the property was in compliance.

**Motion** made by Mr. Svetlick, seconded by Ms. Mayers, to continue this case to the Board's June meeting. In a roll call vote, motion passed 4 – 0.

## **10. Board Discussion**

Lt. Brabble reported that two properties were scheduled to come off of jurisdiction: 517 Northwest 15 Terrace and 715 Northwest 15 Terrace. Both properties were in compliance and doing well, with no calls for service.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 8:02 p.m.

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