

**CITY OF FORT LAUDERDALE  
NUISANCE ABATEMENT BOARD MINUTES  
CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
100 NORTH ANDREWS AVENUE  
THURSDAY, JULY 9, 2009, 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	Cumulative Attendance 3/2009 through 2/2010	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Laurie Watkins, Chair	P	5	0
Ted Fling, Vice Chair	P	5	0
Linda Dawkins [Alternate]	P	4	1
Sal Gatanio	P	2	1
Pat Mayers	P	5	0
D. Ryan Saunders [Alternate]	P	3	0

**Staff Present**

Joyce Hair, Board Clerk  
Bruce Jolly, Board Attorney  
Det. Joel Maney, Liaison  
Scott Walker, Assistant City Attorney  
B. Chiappetta, Recording Clerk,  
Prototype, Inc.

**Communication to the City Commission**

None

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	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
1.	09-01-01	1300 Northwest 6 Street – NADA Market	<a href="#"><u>2</u></a>
2.	09-01-02	1500 Northwest 6 Street – Sistrunk Market	<a href="#"><u>2</u></a>
3.	09-05-03	200 West Sunrise Blvd. - Star Food Mart	<a href="#"><u>3</u></a>

<b>Board Discussion</b>	<a href="#"><u>4</u></a>
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**Purpose:** Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending or repeated violation continues to exist.

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

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

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

Ms. Chiappetta called roll and determined a quorum was present; there is one vacancy on the Board.

**Witnesses were sworn in.**

**3. Approval of minutes for June 2009**

**Motion** made by Mr. Fling, seconded by Mr. Saunders, to approve the minutes of the Board's June 2009 hearing. In a voice vote, the motion passed unanimously.

**4. Case Number 09-01-01  
1300 Northwest 6 Street  
NADA Market**

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- **Notice of Status Hearing**

Det. Maney informed the Board that the property owner had been notified of the hearing on June 26, and he was present.

Det. Maney announced that in the past 30 days there had been 28 calls for service to the property, none of which was nuisance abatement related. He stated the property was in compliance, and recommended setting another status hearing for 30 days.

**5. Case Number 09-01-02  
1500 NW 6 Street  
Sistrunk Market**

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- **Notice of Status Hearing**

Det. Many stated the same person owned this property and the NADA Market; he had been notified of the hearing on June 22, and was present.

Det. Maney informed the Board that in the past 30 days there had been 31 calls for service to the property, none of which was nuisance abatement related. He informed

the Board that the property was in compliance, including payment of the administrative fees, and recommended setting another status hearing for 30 days.

**6. Case Number 09-05-03**  
**200 West Sunrise Boulevard**  
**Star Food Mart**

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- **Notice of Status Hearing**

Det. Maney informed the Board that the property owner had been notified of the hearing on June 19, and she was present.

Det. Maney informed the Board that in the past 30 days there had been 20 calls for service to the property, one of which was nuisance abatement related. He noted this was a 33% increase over the previous 30-day period for routine calls for service, but there had been a 75% decrease in nuisance abatement related incidents in the same 30-day period.

Det. Maney described the nuisance abatement incident. The defendant had met the undercover officer one block south of this property, and the defendant had instructed the informant to park on the east side of the Star Market. Once the deal had taken place, the defendant had been arrested.

Det. Maney reported the property was in full compliance and the Fort Lauderdale Police Department would continue to be vigilant in law enforcement efforts to reduce the nuisance abatement related incidents and calls for service.

Det. Maney had instructed Patrol Supervisors to park their vehicles in front of the Star Food Mart when they had reports to write; this would give the appearance of a continuous Police presence. The Skywatch Observation Tower was also scheduled to be set up in the area to reduce criminal activity. He hoped this would be done prior to the Board's next meeting.

Mr. Fling asked if the Police Department could do anything to stem the flow of pedestrian traffic between the two markets. Det. Maney said nothing could be done because it was not illegal to walk on a public street, but he intended to increase Police patrols and get more marked Police cars in the area to deter criminal activity.

Mr. Gatano asked how effective the lighting was at deterring criminal activity at night. Det. Maney said he had not made this comparison.

Ms. Pam Roloff, neighbor, asked if there was still a siren at the Star Market. Ms. Linda Saunders, property owner, stated the siren was still installed and employees were using it.

Ms. P.J. Espinal, neighbor, said she had noticed a lot of activity at the Star Market early Sunday morning and a drug dealer had come out of the building to try to sell her drugs.

Det. Maney said he had received many noise complaints about the Star Market, which he now realized were probably from employees' use of the siren.

Ms. Saunders informed Mr. Gatanio that the market owner would return at the end of the month. His brother was visiting the property to check on it periodically in the owner's absence. There was also a manager and one employee on the premises. Ms. Saunders said she had looked into acquiring funds from the City to help beautify the building.

Mr. Saunders asked if Det. Maney could check the surveillance tape to determine if it had been an employee who came out of the store to approach Ms. Espinal. Det. Maney agreed to check the tape, and if an employee was involved, he agreed to deal with this personally. Chair Watkins asked Det. Maney to check the tape to determine how many employees were working, and whether the alleged drug dealer who waited in the store had been interacting with staff. Mr. Saunders asked Det. Maney to check whether the divider was being used properly.

Ms. Roloff said the items in the store were stacked so high that a person could hide out of the employees' view. Det. Maney promised Chair Watkins he would bring photos of the interior of the building to their August meeting.

## **Board Discussion**

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### Off jurisdiction:

Det. Maney reported the apartment complex at 1313 NE 5th Avenue would come off Board jurisdiction on July 15. He explained that the owner, Mr. Mordechai, had a month-to-month lease for tenants so he could evict them at will, and Det. Maney said this seemed to be working.

Det. Maney reported that from February 6, 2009 to July 8, 2009 there had been 14 service calls to the property, 3 of which were nuisance abatement related. All of these calls had been resolved before an officer arrived.

Det. Maney presented photos of the property, and stated on his last visit two days ago, many people were present on the property but he witnessed no criminal activity.

Det. Maney said the property was in compliance with the Board's orders and recommended the property come off jurisdiction.

Mr. Fling said this property had been discussed at the 13th Street homeowners meeting. Mr. Gatanio said the problem was that drug dealers hid in between the properties. He recommended installing gates to deter perpetrators from the property. Mr. Fling invited interested parties to attend the 13<sup>th</sup> Street homeowners meeting to report activity to the District commander.

#### Litter

Chair Watkins had received an email asking whether the Board could deal with littering issues. Mr. Jolly stated the Board's jurisdiction was limited per ordinance and statute to addressing drug, prostitution and criminal gang activities, not litter. The Board could address litter as part of their orders when a property was brought to them for some other reason. He advised that a property with excessive litter might be brought to the Code Enforcement Board. Det. Maney agreed to speak to the person who had sent the email regarding this.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:50 PM.

The Board's next meeting was scheduled for August 13, 2009.

[Minutes prepared by J. Oppert, Inc.]