

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS, 1ST FLOOR
 100 NORTH ANDREWS AVENUE
 THURSDAY, FEBRUARY 11, 2010, 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	Cumulative Attendance 3/2009 through 2/2010	
		<u>Present</u>	<u>Absent</u>
Ted Fling, Chair	P	10	0
D. Ryan Saunders, Vice Chair	P	8	0
Linda Dawkins [Alternate]	A	7	3
Louise Dowdy	P	5	0
Sal Gatanio	P	7	1
Pat Mayers	P	10	0

Staff Present

Joyce Hair, Board Clerk
 Bruce Jolly, Board Attorney
 Scott Walker, Assistant City Attorney
 Det. Paul Maniates
 B. Chiappetta, Recording Clerk, Prototype Inc.

Communication to the City Commission

None

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	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
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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 p.m. 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.

Witnesses were sworn in.

3. Approval of minutes for January 2010

Mr. Saunders made a correction to the Board's January minutes.

Motion made by Ms. Dowdy, seconded by Mr. Saunders, to approve the minutes of the Board's January 2010 hearing. In a roll call vote, the motion passed 5 - 0.

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

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- **Notice of Status Hearing**

Det. Maniates informed the Board that the property owner, Mr. Ali Amdi, was out of the country but the store manager, Mahd Said, was present.

Det. Maniates announced that in the past 30 days there had been 29 calls for service to the property, none of which was nuisance abatement related. Based on the facts of the past 30 days, the property was in compliance. Det. Maniates reminded the Board that the property came off Board jurisdiction on February 20, 2010.

Mr. Jolly explained that once the property came off of jurisdiction, further action could be taken again if it was determined that the problem activity recurred. This would be a new case.

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

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- **Notice of Status Hearing**

Det. Maniates informed the Board that the same person owned this property and the NADA Market, Mr. Ali Amdi. The owner had been notified of the hearing on February 2, 2010 but was not in attendance. The store manager, Mohammed Hussein, was present.

Det. Maniates announced that in the past 30 days there had been 71 calls for service, three of which were nuisance abatement related. One arrest had been made after the manager called to report that three people who did not live at the premises refused to leave. Officers responded and arrested a defendant who was smoking marijuana. Another arrest was made for trespassing, cocaine possession and a probation violation. A third call was part of an ongoing investigation. Based on the activity of the past 30 days, the property was in compliance, and Det. Maniates recommended a status hearing in March. The property would come off of Board jurisdiction on March 31, 2010.

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

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- **Notice of Status Hearing**

Det. Maniates informed the Board that the property owner had been notified of the hearing on February 2, 2010.

Det. Maniates announced that in the past 30 days there had been 14 calls for service to the property, none of which was nuisance abatement related. A marked Police unit had been parked on the east side of the business for several weeks, and Det. Maniates guessed that this was responsible for the low call volume. Based on the facts of the past 30 days, the property was in compliance and Det. Maniates recommended a status hearing in March. Board jurisdiction on the property would end on June 17, 2010.

Mr. Gatano remarked that he had heard from residents that they had seen the Police cars there, and crime in the area had significantly dropped.

7. Case Number 09-12-04
3071 South West 2 Court
Residence
Owner: Ralph Holmes

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- **Notice of Status Hearing**

Det. Maniates informed the Board that the property owner had been notified of the hearing on December 29, 2009 and he was present.

Det. Maniates announced that in the past 30 days there had been 3 calls for service to the property, one of which was nuisance abatement related. This arrest was part of an ongoing investigation. One call for service had been the owner calling to get the trespass affidavit on file and one was a traffic stop when a vehicle had been pulled over in front of the house.

Det. Maniates had met with Mr. Holmes on January 22, 2010, and Mr. Holmes reported things were getting better and he was cleaning up the property. There was a "No Trespassing" sign on the property, the front of the home was cleaner and there were fewer vehicles parked there.

Det. Maniates had met with Mr. Holmes again on February 9, 2010 to ensure he would attend this hearing.

Det. Maniates confirmed that the RV was still in the driveway. Chair Fling said two days prior, there had been vehicle repairs taking place in the garage. Det. Maniates had visited the property that day, and stated the car had been repaired and moved. Mr. Ralph Holmes, owner, stated this had been his grandson's car.

Det. Maniates said when he passed the property earlier, there were only two or three cars on the property, compared to the eight cars that had been present when the case was initiated.

Det. Maniates confirmed that Mr. Holmes had paid the investigative costs this evening with a money order.

Det. Maniates recommended a status hearing in March.

Chair Fling asked about the Code Enforcement inspection of the property. Det. Maniates had been informed that Code Enforcement would be working the property but he had not received a report. He agreed to ask the Code Enforcement officer to attend the next hearing.

Det. Maniates remarked he was impressed with the effort Mr. Holmes was making to clean up the property.

8. Board Discussion

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Chair Fling had attended the Council of Fort Lauderdale Civic Associations meeting the previous Tuesday, and Mayor Seiler and Steve Kinsey, Chief of Police Operations were in attendance. Chair Fling said he had been "verbally assaulted by some of the

comments from the members of the Council who were there, particularly the people from Melrose Park..." who stated they had submitted several items that should be heard by the Nuisance Abatement Board, but had received no answers or confirmation of any investigation of their complaints. Chief Kinsey had agreed to speak to Det. Maniates about this.

Chair Fling noted that the Board had not seen many new cases in the past few months. Mr. Walker said no one from the Melrose Homeowners Association had called his office in approximately two years. Mr. Fling said he had explained the process for getting a property before the Nuisance Abatement Board. Det. Maniates said to come before the Board, the property must qualify as a nuisance; they did not address crime in neighborhoods.

Mr. Jolly said the Board's cases typically dealt with multiple incidents involving drugs, gangs and prostitutes. The complaints out of Melrose Park related to prostitute and gang activity. Det. Maniates explained that the complaints were all sent to him; when a property had numerous arrests, he logged it in. He agreed to speak with Chief Kinsey about this to determine if the complaints related to nuisance abatement issues. Chair Fling wanted Det. Maniates to speak with the Melrose Park resident who had complained at the meeting.

Ms. Dowdy said residents of Melrose had complained to Chief Adderley about problems with drug dealing in abandoned homes. She advised Det. Maniates to check with Chief Adderley.

Mr. Walker acknowledged that abandoned, foreclosed homes were becoming a serious problem with teens using for parties.

Chair Fling asked if the number of nuisance abatement cases was down. Det. Maniates reported there was an operation planned for the next few weeks and he was working on a few other properties.

Mr. Jolly discouraged Board members from interacting with potential complainants or property owners who might appear before the Board.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:44 PM.

The Board's next meeting was scheduled for March 11, 2010.