

**CITY OF FORT LAUDERDALE  
 NUISANCE ABATEMENT BOARD MINUTES  
 CITY HALL, CITY COMMISSION CHAMBERS, 1<sup>ST</sup> FLOOR  
 100 NORTH ANDREWS AVENUE  
 THURSDAY, JUNE 10, 2010, 7:00 P.M.**

<b><u>Members</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance 3/2010 through 2/2011</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Ted Fling, Chair	P	4	0
D. Ryan Saunders, Vice Chair	A	3	1
Louise Dowdy	P	4	0
Sal Gatanio	P	3	1
Pat Mayers	P	3	1
Matthew Scott, Alternate	P	3	1
Tom Wolf, Alternate	P	3	1

**Staff Present**

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

**Communication to the City Commission**

None

**Index**

	<b><u>Case Number</u></b>	<b><u>Respondent</u></b>	<b><u>Page</u></b>
1.	09-05-03	200 West Sunrise Blvd. - Star Food Mart	<a href="#"><u>2</u></a>
2.	10-01-01	844 Northwest 10 Terrace - One Stop Shop	<a href="#"><u>2</u></a>
3.	10-03-02	2217 South Federal Highway – Advanced Massage	<a href="#"><u>3</u></a>
4.	10-05-03	1220 Northwest 3 <sup>rd</sup> Street – Residence – Jason Brown, owner	<a href="#"><u>5</u></a>
		Board Discussion	<a href="#"><u>5</u></a>

**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 7:01 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 May 2010**

The Board noted corrections to the minutes.

**Motion** made by Ms. Dowdy, seconded by Mr. Gatano, to approve the minutes of the Board's May 2010 meeting as amended. In a voice vote, the motion passed 5 - 0.

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

[Index](#)

- **Notice of Status Hearing**

Det. Maniates informed the Board that the property owner had been notified of the hearing on May 17, 2010.

Det. Maniates announced that in the past 30 days there had been 0 calls for service to the property. He explained that the property would be off Board jurisdiction as of June 17, 2010. Det. Maniates stated the work of the owner, the Board and the Police Department had produced success.

Ms. Linda Saunders, owner, said the new store was coming along and should be completed in 30 to 60 days. Mr. Gatano thanked Ms. Saunders on behalf of the community. Det. Maniates reported the fines had been paid.

**5. Case Number 10-01-01  
844 Northwest 10 Terrace  
One Stop Shop**

[Index](#)

- **Notice of Status Hearing**

Det. Maniates stated the property owner had received notice of the hearing on May 21, 2010 and was not present. Det. Maniates said he had been in regular phone contact with the property owner. The business owner, Nabil Khazem, planned to attend the hearing but was not yet present.

Det. Maniates announced that in the past 30 days there had been 12 calls for service to the property, 1 of which was nuisance abatement related. The nuisance abatement related call was the result of the property owner calling Det. Maniates to report that several vehicles were parked on the side of the property. A canine officer had responded and his partner had hit on the van that was parked on the property. The van had 31 bags of cannabis and 12 bags of cocaine. Det. Maniates stated this was an ongoing investigation.

Det. Maniates reported the property was in compliance, and recommended a status hearing in July 2010.

**6. Case Number 10-03-02**  
**2217 South Federal Highway**  
**Advanced Massage Therapy**  
• **Notice of Status Hearing**

[Index](#)

Det. Maniates stated the property owner had received notice of the hearing on May 17, 2010. The business owner, Jared Fetko, had received legal notice of the meeting on May 17, 2010.

Det. Maniates announced that in the past 30 days there had been 0 calls for service to the property. The property was in compliance and Det. Maniates recommended a status hearing for July 2010.

Ms. Kristina Duhaney, the business owner's attorney, said her client intended to have employees and staff enter into an agreement to not engage in illegal activities or to solicit customers for any sexual acts. Ms. Duhaney said the signs had resulted in an 80% drop in revenue and the owner was asking to remove the sign for 30 days and return for a status report. Det. Maniates did not object to this request, and said the Police had been monitoring the business.

Chair Fling noted the Board would need to amend Item 3 on their order. Mr. Gatano did not want to remove the sign because he felt it had been effective. Ms. Mayers thought the remaining 20% of customers were "good." She felt the sign discouraged disreputable men who were seeking illegal activity.

Det. Maniates said the shop hours were 10:00 a.m. until 11:00 p.m. Mr. Scott believed the reduction in business was proof that the hanging the sign was “the right thing to do.”

Ms. Duhaney said Mr. Fetko had taken over the business in February and had worked with Det. Maniates to comply. Ms. Duhaney said legitimate customers might worry that the Police had cameras inside the business. She said Mr. Fetko was trying to comply but he might not be able to stay in business.

Mr. John Fetko, business owner, said the illegal incidents occurred before he had taken over the business. He said when clients saw a sign regarding the Police Department they turned away. Mr. Fetko said he had done everything to comply. He noted that the Police would continue to monitor the property if the sign were taken down. He presented a copy of the agreement he wanted employees to sign.

Chair Fling suggested removing the sign in the front of the building and leaving the one in the rear. Mr. Fetko said if the rear sign were left up “we’re dead.” Ms. Mayers suggested closing earlier to discourage customers who might have been drinking. Mr. Fetko said he had now closed at 10:00 p.m.

Mr. Jolly advised that the Board could modify its earlier order and increase fines. The order already contained a fine provision of \$250 per day.

Det. Maniates assured the Board that the Police were keeping a close eye on the property and he did not object to the request to remove the rear sign.

**Motion** made by Ms. Mayers, seconded by Mr. Scott to modify the Board’s Order entered on April 14, 2010 to delete the portion of Provision 3 regarding the sign on the **rear** of the property only.

Ms. Mayers wanted the business to close at 9:00 p.m. to discourage undesirable people, and Mr. Fetko agreed to this. Mr. Fetko remarked that they did not get drunken customers.

Ms. Dowdy did not understand how a sign would deter legitimate customers. Ms. Mayers believed legitimate customers saw the sign and thought illegal activity must be occurring there.

In a roll call vote, motion **passed** 3 – 2 with Mr. Gatano and Ms. Dowdy opposed.

Det. Maniates recommended a status hearing for July 2010.

**7. Case Number 10-05-03**  
**1220 Northwest 3<sup>rd</sup> Street**  
**Residence**  
**Owner: Jason Brown**

[Index](#)

- **Notice of Status Hearing**

Det. Maniates reported the property owner had received legal notice of the hearing on May 26, 2010 and was present.

Det. Maniates announced that in the past 30 days there had been 1 call for service to the property, 0 of which was nuisance abatement related. Det. Maniates showed photos of the fence Mr. Brown had promised to install, and stated the no trespassing sign had been installed and Mr. Brown had complied with all orders and kept Det. Maniates updated of progress on the property.

Mr. Jason Brown, property owner, described the fencing, and where he intended to install it. He stated he had evicted one tenant, and the other tenant had responded to the threat of eviction by cleaning and repairing her apartment well enough to pass the Section 8 inspection. Because of her efforts, Mr. Brown did not want to evict her and her four children.

Ms. Dowdy asked Det. Maniates to check the distance between this residence and the Little Red Schoolhouse. She stated she had seen two people smoking pot in front of the property earlier that day.

Det. Maniates thanked Mr. Brown for working to comply.

**8. Board Discussion**

[Index](#)

[This item was discussed out of order]

Chair Fling noted that Mr. John Quinton, Project Director for the Teen Alliance Coalition was not present to give his Power Point presentation. Det. Maniates agreed to follow up on this and ask Mr. Quinton to attend the Board's July meeting to give the presentation.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:47 PM.

The Board's next meeting was scheduled for July 8, 2010.

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