

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS, 1ST FLOOR
 100 NORTH ANDREWS AVENUE
 THURSDAY, AUGUST 12, 2010, 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	<u>Cumulative Attendance 3/2010 through 2/2011</u>	
		<u>Present</u>	<u>Absent</u>
Ted Fling, Chair	P	6	0
D. Ryan Saunders, Vice Chair	P	5	1
Louise Dowdy	P	6	0
Sal Gatanio	P	5	1
Pat Mayers	P	4	2
Matthew Scott, Alternate [7:09]	P	4	2
Tom Wolf, Alternate	A	3	3

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

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	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
1.	10-01-01	844 Northwest 10 Terrace - One Stop Shop	<u>2</u>
2.	10-03-02	2217 South Federal Highway – Advanced Massage	<u>3</u>
3.	10-06-04	500 Northeast 13 Street, Business Plaza	<u>3</u>

Board Discussion

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 July 2010

Mr. Saunders noted a correction to the minutes.

Motion made by Mr. Saunders, seconded by Mr. Gatano, to approve the minutes of the Board's July 2010 meeting. In a voice vote, the motion passed 5 - 0.

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

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- **Notice of Status Hearing**

Det. Maniates stated the property owner had received notice of the hearing on July 15, 2010 and was not present. The business owner, Nabil Khazem, was present.

Det. Maniates announced that in the past 30 days there had been 10 calls for service to the property, four of which were nuisance related. He explained that three of the four calls involved two of the bays on the north side of the second building, not the building where the store was located. Det. Maniates reported the owner was planning to evict the tenants in the bays involved in the arrests. The fourth arrest had been initiated by a store clerk and had resulted in an arrest for possession of cannabis.

Due to the efforts of the business and property owner, Det. Maniates felt the property was in compliance and recommended a status hearing for September 2010.

Mr. Saunders recommended the Skywatch Tower be used on this property. Det. Maniates agreed to look into this.

5. Case Number 10-03-02

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**2217 South Federal Highway
Advanced Massage Therapy
Owner: Sultan Family Ltd. Partners**

- **Notice of Status Hearing**

Det. Maniates stated the property owner had received notice of the hearing on July 15, 2010.

Det. Maniates announced that in the past 30 days there had been no calls for service to the property. The property was in compliance and Det. Maniates recommended a status hearing for September 2010.

**6. Case Number 10-06-04
500 Northeast 13 Street
Business Plaza**

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- **Notice of Evidentiary Hearing**

Det. Maniates stated the property owner had received notice of the hearing on July 29, 2010 and was not present due to a death in the family in Haiti.

Det. Maniates said he had met with the owner several times in the past month and noted the trespass warning and nuisance abatement jurisdiction signs were properly displayed. The lights on the east and west sides of the building had been installed. The store on the west side of the plaza was now empty, but the tenant had left a \$600 FPL bill, so the lights on the west side were not functioning. Det. Maniates said the owner was also exploring installation of additional lighting on the pole, similar to the light at 1220 Northwest 3 Street.

Based on the low calls for service and the installation of the lights, Det. Maniates felt the property was in compliance. He presented photos of the property to the Board.

[Mr. Scott arrived at 7:09]

Mr. Gatano was concerned that the lights were not operating. He noted that two drug dealers had been arrested at the property in the past month. Mr. Gatano did not accept that the property was complied. Det. Maniates explained that each tenant maintained his own FPL bill. Mr. Gatano pointed out that the area where the lights were not working was the area where most of the drug activity had taken place.

Motion made by Mr. Gatano, seconded by Ms. Mayers, to determine that if the lights were not operational by next month's status hearing, the Board would find the property not in compliance and impose the fine. In a voice vote, motion passed 5 – 0.

Ms. Hair informed the Board that the owner was completing the paperwork with FPL to install the lights on the utility pole.

Mr. Gatano said there was still significant trespassing and drug dealing going on at the property. Mr. Gatano recommended installing No Trespassing signs on the side of the building, where all of the activity took place.

Det. Maniates explained that the trespass warning meant that the owner would give a trespass warning not to return to the property to anyone arrested on that property for a nuisance-related offense.

Det. Maniates confirmed that the contents had been removed from the grocery store.

Det. Maniates stated the owner's sister had promised to bring a \$471.18 check this evening but was not in attendance. Mr. Jolly said next month's hearing would be a status hearing and a hearing to determine if the property was in compliance and the Board could consider the payment as well as the lighting issue. The fine stated in the order could go into effect next month if the Board determined the property was not in compliance. Mr. Jolly explained the owner must be given advanced notice of the fact that the Board could impose the fine.

[At 7:25, the owner's sister arrived with the \$471.18 check]

7. Board Discussion

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Mr. Fling read aloud a letter from the City Clerk dated July 20 regarding Communications to the City Commission.

Det. Maniates announced that John Quinton from Parks and Recreation and Teen Alliance was present to give a Power Point presentation.

Mr. Quinton gave a Power Point presentation, a copy of which is attached to these minutes for the public record.

Mr. Saunders said the Board's orders specified items that could not be sold, and requested a list of items from Mr. Quinton. Det. Maniates said they were creating a list for the Board.

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Mr. Quinton stated it was federal law that one must be 18 years old to purchase tobacco or tobacco-related products. Mr. Quinton said vendors did not consistently check IDs to purchase smoking paraphernalia.

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

The Board's next meeting was scheduled for September 9, 2010.

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