

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS, 1ST FLOOR
 100 NORTH ANDREWS AVENUE
 THURSDAY, APRIL 12, 2012, 7:00 P.M.**

<u>Members</u>	<u>Attendance</u>	Cumulative Attendance 3/2012 through 2/2013	
		<u>Present</u>	<u>Absent</u>
D. Ryan Saunders, Chair	P	2	0
Dale Hoover, Vice Chair	P	2	0
Louise Dowdy	A	1	1
Cindy Smith	P	2	0
Tom Wolf	P	1	1

Alternates

Lorraine Saunders	P	2	0
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Staff Present

Richard Guiffreda, Board Attorney
 Don Londeree, Assistant City Attorney
 Det. Hugo Fontalvo
 Brigitte Chiappetta, Recording Clerk, Prototype Inc.

Communication to the City Commission

None

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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 7:02 p.m.

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 March 2012

Motion made by Ms. Smith, seconded by Mr. Hoover, to approve the minutes of the Board's March 2012 meeting. In a voice vote, the motion passed unanimously.

Cases:

- 4. Case Number 11-03-03
426 Northwest 14th Avenue
Residence
Owner: Lewis Tunnage**

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- **Notice of Status Hearing**

Sgt. Fontalvo stated the property owner, Lewis Tunnage, had received notice of this meeting on 3/24/12.

Sgt. Fontalvo announced that in the past 30 days there had been two calls for service to the property with none being nuisance related. Sgt. Fontalvo said jurisdiction would end on April 22, 2012. The property had been visited several times during the month and was in compliance. He commended Mr. Tunnage for his outstanding efforts at his property.

Chair Saunders thanked Mr. Tunnage for cooperating.

Mr. Tunnage thanked the Board for letting him know what was happening at his property.

5. **Case Number 11-03-02** [Index](#)
414 Northwest 15th Way
Owner: Rosa and Ventura Sorto
- **Notice of Status Hearing**

Sgt. Fontalvo stated the property owner, Ventura Sorto, had not taken receipt of notice of this hearing.

Sgt. Fontalvo announced that in the past 30 days there had been no calls for service to the property. He stated the property was in compliance and jurisdiction would end in April. The property had been visited several times during the month and it had been found to be vacant.

Chair Saunders asked why Mr. Sorto never accepted notice of the meeting. Ms. Hair said Mr. Sorto would not sign for the certified mail but she sent notice via regular mail as well.

6. **Case Number 11-09-06** [Index](#)
2621 N Ocean Boulevard
Hurricane Motel
Owner: Ghulam Usman

- **Notice of Status Hearing**

Sgt. Fontalvo stated the property owner, Ghulam Usman, had received notice of this meeting on 3/28/12.

Sgt. Fontalvo announced that in the past 30 days there had been four calls for service to the property, one of which was nuisance related; this was an arrest for possession of marijuana. The property had been visited several times in the past month and it continued to improve in appearance.

Chair Saunders opened the public hearing portion of the meeting.

Joe Amorosino, neighbor, said in the past few months, problems had come from the property due to the clientele. He said the neighbors had worked very hard to improve the area. Mr. Amorosino said patrons of the Hurricane had been arrested in the area for attempted burglary, drunk and disorderly and resisting arrest. He asked for the Board's help to develop a solution.

Garth Graham, President of the Lauderdale Beach Homeowners Association, said their main concern was the people from the hotel moving about the neighborhood committing crimes.

Dave Cowens was concerned about their property values. He asked what could be done to address the neighbors' complaints.

Jim Eddy, representative of the property owner, said the current tenant was leaving and Mr. Usman intended to convert the building into apartments and hire a new manager.

Mr. Usman said he would probably need a variance to remodel the building and he hoped the neighbors would support him in this. He said he was working to improve the property. He wanted to demolish it but that was not possible in the current economy.

There being no other members of the public wishing to address the Board on this case, Chair Saunders closed the public hearing portion of the meeting and brought discussion back to the Board.

Mr. Usman said he would manage the hotel himself now. He said the manager was complying with the requirement to take occupants' identification and vehicle tag numbers and this information was always available to the police. Mr. Usman said he hoped to rent on a monthly basis.

Chair Saunders asked to amend the order to require background checks on prospective tenants and a stipulation in the lease that renters would be evicted for drug-related activity.

Ms. Smith asked about the rent and Mr. Usman said he would charge what the market would bear.

Chair Saunders wanted to amend the order to prohibit the owner from renting rooms for less than one month at a time. Mr. Guiffreda said the City Commission would need to approve an order that prevented the owner from using the property as intended.

Motion made by Mr. Hoover, seconded by Ms. Smith, to amend the order to require background checks on tenants, to indicate that a tenant could be evicted for a drug-related activity and that the property would be brought back before the Board next month to ensure the owner was complying with the order. In a roll call vote, motion passed 4 – 0.

Sgt. Darren Ogden referred to a case in the neighborhood of someone found on a nearby property trying to gain entrance. The homeowner had scuffled with the person,

who had been arrested by the police. That person had given his temporary address as the Hurricane Hotel and his permanent address as Mansfield Ohio.

Chair Saunders asked Sgt. Ogden to verify via hotel records that this person had been staying at the hotel.

Mr. Usman said he would probably take over the property at the end of the month.

Mr. Cowens said he wanted the Board to see Mr. Usman's plans for the property. Chair Saunders said this was not within the Board's purview. Chair Saunders said while the Board had jurisdiction of the property, the owner had complied with the requirements of their order. When the property was brought back for a status hearing, if the property was found not to be in compliance with the order, a fine could be assessed.

7. **Case Number 11-08-05**
1704 Northwest 8th Court
Owner: George Peter
- **Notice of Status Hearing**

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Sgt. Fontalvo stated the property owner, George Peter, had received notice of this meeting on 3/28/12.

Sgt. Fontalvo announced that in the past 30 days there had been no calls for service to the property. Sgt. Fontalvo said the owner had contacted the Police Department regarding a criminal history check for two prospective tenants. These tenants had criminal histories in Florida but were not wanted at the time.

George Peter, owner, thanked the Board for granting him an extension to get the apartment rented, but said he had needed to lower the rent by \$200. He asked the Board to consider reducing his payments.

Chair Saunders said the original investigative costs were \$1,835.00 and this had been held in abeyance because Mr. Peter was having difficulty renting one of the apartments. Half of the costs - \$917.60 - had been assessed because the property had been found out of compliance. Ms. Hair said Mr. George had paid \$275.28 so far and the remainder was \$642.32.

8. Case Number 11-12-09
91 Southwest 31 Avenue
Business Plaza – The Compound Barber Shop
• **Notice of Status Hearing**

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Sgt. Fontalvo stated the property owner, New Global Holdings, had received legal notice of this meeting on 3/23/12.

Sgt. Fontalvo announced that in the past 30 days there had been 12 calls for service to the property, none of which was nuisance related. He said when the property was visited the last week of March and on April 6 there had been no one loitering and the fence had been painted. Sgt. Fontalvo said the property was currently in compliance and recommended a status hearing for May 2012.

Donna Guthrie, President of the Melrose Park Homeowners Association, asked what time the police monitored the property. She said most of the activity was in the evenings and on weekends. Ms. Guthrie said she still saw drug activity on the property. Mr. Wolf advised Ms. Guthrie to contact the police when she saw activity.

Chair Saunders asked that Det. Maniates to find out how many of the calls for service had been initiated by store clerks. Sgt. Fontalvo said he would ask the local officer to attend the next homeowners association meeting to explain how important it was to call about problems on the property.

Ms. Guthrie asked if the police were monitoring the cameras and if the video was streaming. Chair Saunders said the video was not streaming but the police had access to the recordings. Ms. Guthrie said she wanted someone to monitor the interior and exterior video but Mr. Wolf said the police did not have the manpower to do that. Ms. Guthrie wanted someone to check the video at busy times.

Chair Saunders offered to write a letter to the Police Chief to request a surveillance unit be installed at this location.

Motion made by Ms. Smith, seconded by Mr. Wolf to authorize Chair Saunders to write a letter to the Police Chief to request a surveillance unit be installed at this location. In a voice vote, motion passed unanimously.

9. Case Number 11-10-08
519 Northwest 23rd Avenue
Parisian Motel

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- **Notice of Status Hearing**

Sgt. Fontalvo announced that the owner, Tania Ouaknine, had received notice of this hearing on 3/23/12. She had stated she could not attend this evening because of Passover.

Sgt. Fontalvo reported that in the past 30 days there had been no calls for service to the property.

Sgt. Fontalvo said on 3/10/12, Police Chief Frank Adderley, while driving an unmarked vehicle, had been approached in the 1100 block of NW 6 Street by two females who asked him if he wanted a “date” and asked him to drive to the Parisian Motel. The women had indicated that the room fee would be \$23 per hour. The females had subsequently been arrested.

Sgt. Fontalvo stated the owner had paid \$672.23 on 3/15/12, one week late. He recommended a status hearing for May 2012.

Chair Saunders asked for an update on any actions the City was taking regarding the property. Mr. Londeree had no new information on this.

Ms. Smith asked if the Board could impose a fine for the owner’s having made that payment late. Chair Saunders stated they could impose a fine of up to \$250 per day for each day the property was out of compliance.

Motion made by Ms. Smith, seconded by Mr. Hoover to impose a fine of \$250 per day for each day the property was out of compliance. In a roll call vote, motion passed 5-0.

Chair Saunders opened the public hearing portion of the meeting.

Sharon Woods, resident, thanked the Board for “not being so liberal” with the motel. She wanted to know how long the Board’s status hearings would continue until the City would “shut the place down.”

Mr. Guiffreda stated the Board’s jurisdiction lasted one year from the date of the original order. The City Commission would need to approve shutting the business down, if the property never came into compliance. The City could also put a lien on the property for the fines assessed. Mr. Guiffreda said the maximum fine was \$15,000, and Chair Saunders stated when the fine reached the maximum and the property was still not in

compliance, the Board could recommended to the City Commission that the business be shut down.

The Board wanted to determine if the owner was now living at the property.

Linda Dawkins said she had relatives living nearby and when she visited them, she could see the activity at the Parisian. Ms. Dawkins stated the Parisian had been built as an hourly motel. She remarked that the activity was especially heavy in the mornings.

There being no other members of the public wishing to address the Board on this case, Chair Saunders closed the public hearing portion of the meeting and brought discussion back to the Board.

10. Board Discussion

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None.

11. Communication to the City Commission

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None.

Thereupon, with no additional business to come before the Board, the meeting adjourned at 8:33 PM.