

**CITY OF FORT LAUDERDALE
 NUISANCE ABATEMENT BOARD MINUTES
 CITY HALL, CITY COMMISSION CHAMBERS, 1ST FLOOR
 100 NORTH ANDREWS AVENUE
 THURSDAY, JANUARY 10, 2013, 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	9	0
Dale Hoover, Vice Chair	P	9	0
Lorraine Saunders	P	9	0
Cindy Smith	P	9	0
Tom Wolf	P	7	2

Alternates

Adriane Reese	A	4	3
Don Karney	P	3	0

Staff Present

Det. Maniates
 Don Londeree, Assistant City Attorney
 Bruce Jolly, Board Attorney
 Joyce Hair, Board Clerk
 Brigitte Chiappetta, Recording Clerk, Prototype Inc.

Communication to the City Commission

None

Index

	<u>Case Number</u>	<u>Respondent</u>	<u>Page</u>
1.	11-12-09	91 Southwest 31 Avenue, Business Plaza – The Compound Barber Shop	2
2.	12-08-03	1923 S Federal Highway - Oriental Red Pearl Massage	3
3.	11-10-08	519 NW 23 Avenue, Parisian Motel	3
4.	12-07-01	201 Southwest 11 th Court – Mary Ann Kerr	4
5.	12-08-02	217 Southwest 19 th Avenue – Luby Hargrett	5
		Board Discussion	6
		Communication to the City Commission	6

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.

Call meeting to order; Pledge of Allegiance

The meeting was called to order at 7:00 p.m.

Roll call; witnesses sign log; swearing in

Ms. Chiappetta called roll and determined a quorum was present.

Witnesses were sworn in.

Approval of Minutes for December 2012

Chair Saunders noted a correction to the minutes.

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

Cases:

1. **Case Number 11-12-09** [Index](#)
91 Southwest 31 Avenue
Business Plaza – The Compound Barber Shop
 - **Notice of Status Hearing**

Det. Maniates stated the property owner, New Global Holdings, had accepted receipt of the meeting notice on 12/20/12.

Det. Maniates announced that in the past 60 days there had been 10 calls for service to Rainbow Supermarket, none of which was nuisance related. There had been no calls for service from the barbershop. He remarked that the businesses had made great efforts regarding loitering at the property.

Det. Maniates reported jurisdiction on the property would end on January 19, 2013.

Donna Guthrie, President of the Melrose Park Homeowners Association, said Fort Lauderdale Police had been very proactive at this property. She was concerned that

the property owners would maintain their efforts to prevent loitering and drug dealing. Ms. Guthrie invited the owners to attend the Homeowners Association meetings.

2. **Case Number 12-08-03** [Index](#)
 1923 S Federal Highway
 Business: Oriental Red Pearl Massage
 • **Notice of Evidentiary Hearing**

Det. Maniates announced that the owner, Ted Koster, had accepted receipt of the meeting notice on 12/20/12.

Det. Maniates reported that in the past 30 days there had been no calls for service to the property. On January 2, 2013, a search warrant had been executed at the property, the details of which could not be discussed due to an ongoing investigation. Det. Maniates reported there was currently no tenant in the property.

Det. Maniates recommended a status hearing in February 2013.

3. **Case Number 11-10-08** [Index](#)
 519 Northwest 23rd Avenue
 Parisian Motel
 • **Notice of Status Hearing**

Det. Maniates announced that the owner, Tania Ouaknine, had not accepted receipt of the meeting notice but was present.

Det. Maniates reported that in the past 30 days there had been no calls for service to the property and the business remained closed. Det. Maniates reported jurisdiction on the property would end on February 16, 2013. He stated he had received a current mailing address for the owner.

Tania Ouaknine, owner, said she had not received the notice sent to the motel or the notice sent to her daughter's address.

4. Case Number 12-07-01
201 Southwest 11th Court
Residence
Owner: Mary Ann Kerr

[Index](#)

- **Notice of Status Hearing**

Det. Maniates announced that the owner, Mary Ann Kerr, had accepted receipt of the meeting notice on 12/20/12 and was present.

Det. Maniates reported that in the past 30 days there had been two calls for service from the surrounding area, none of which was nuisance related. He had received several phone calls from neighbors regarding disturbances and Police patrol units had responded. Det. Maniates recommended a status hearing for February 2013.

Det. Maniates stated one incident concerned people walking in the alleyway behind the home, which neighbors reported was an ongoing problem.

Chair Saunders opened the public hearing portion of the meeting.

Cara Mocq, neighbor, stated she had lived on this block longer than anyone else and problems at the property had continued for 28 years. She said the car traffic had improved, and the biggest issue was people walking to the property and arriving in cabs all day long.

As no one else spoke, Chair Saunders closed the public hearing and brought discussion back to the Board.

Chair Saunders advised neighbors to call the Police when they saw a problem at the property. He asked Ms. Kerr to keep working with Det. Maniates.

Mary Ann Kerr, owner, said she felt she was living under a microscope and being spied upon by her neighbors. Chair Saunders said Ms. Kerr was indeed living under a microscope because of past activity at the property.

Ms. Smith stated it was disturbing that neighbors reported continued activity at the property.

Melinda Steinbacher said some neighbors had spoken to Ms. Kerr after the last meeting and explained that they were not against her, but were against what she brought to the neighborhood and wanted to be safe again.

Chair Saunders encouraged the neighbors and Ms. Kerr to continue to work together.

5. **Case Number 12-08-02**
217 SW 19 Avenue
Owner: Luby Hargrett

[Index](#)

- **Notice of Status Hearing**

Det. Maniates stated the property owner, Luby Hargrett, had accepted receipt of the meeting notice on 12/21/12.

Det. Maniates reported that in the past 30 days there had been no calls for service to the property. He reported he had visited the property several times in the past month and the signs were still in place. The property was not in compliance because the owner had not paid the fine imposed by the Board.

Luby Hargrett, owner, said she did not know what fine Det. Maniates was talking about. Chair Saunders explained that the fine had been imposed after Ms. Hargrett was removed from the last meeting. Ms. Hargrett refused to pay the fine and said she would go to court. Mr. Jolly explained that a fine had been imposed for non-compliance and if the fine was not paid, the Board could recommend foreclosure to the City Commission to collect the fine.

Chair Saunders reminded Ms. Hargrett that the Board had made the decision regarding the fine when her family was present at the previous meeting. The fine amount was \$6,250. Det. Maniates explained that the fine had accrued for the time the hedges were not trimmed down to the fence line per the Board's order.

Mr. Jolly confirmed that the fines had accrued for non-compliance for a period prior to the Board's November meeting that Ms. Hargrett's son had attended. Mr. Jolly advised Ms. Hargrett to be less combative with the Board and explained that it was not unprecedented for a Board to reconsider its prior decisions.

Chair Saunders reported Ms. Hargrett had provided a check for the monthly installment of investigative costs and the property was in compliance

Motion made by Mr. Hoover, seconded by Mr. Wolf to take no further action at this time. In a roll call vote, motion passed 4-1 with Chair Saunders opposed.

Mr. Jolly informed Ms. Smith that the \$6,250 fine would remain on the property. The Board could decide to reduce the fine in the future.

Chair Saunders asked if the City Commission had taken any action regarding the lien. Mr. Jolly said he would ensure that the lien had been recorded.

Board Discussion

None.

[Index](#)

Communication to the City Commission

None.

[Index](#)

Adjournment

Thereupon, with no additional business to come before the Board, the meeting adjourned at 7:42 PM.

Next Meeting: February 14, 2013

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