

**MINUTES
CITY OF EUSTIS CODE ENFORCEMENT BOARD**

July 17, 2006

COMMISSION ROOM - CITY HALL - TEN NORTH GROVE STREET

Regular Meeting

ROLL CALL: Robert LaValle
Martin Ferry
Joyce Evans-Norcross
Charlie Bagg
Billy Fowler
Robert Warren
Michael Holland

MEMBERS ABSENT: none

STAFF PRESENT: Eric Martin, Code Enforcement Officer
Henry Sneed, Code Enforcement Officer
Christina Selage, Recording Secretary

OTHERS PRESENT: Katrina Thomas, City Attorney
Susan Limor, P O Box 1296, Plymouth
Felipe D. Gonzalez, 2736 East Dellwood Drive, Eustis
John Weatherford, 910 South Bay Street, Eustis
Officer Adam Driskell, Eustis Police Department
Officer Misty Mohrenne, Eustis Police Department
Bianka Gonzalez, 2112 Virginia Avenue, Eustis
Anabel Lopez, 2112 Virginia Avenue, Eustis
Robert Gilroy, 118 West Golflinks Avenue, Eustis
Willie & Cristal Faust, 3920 Hickory Grove Drive, Jacksonville
Chris Shaw, no address given

CALL TO ORDER: Chairman LaValle called the Regular Meeting to order at 3:00 p.m. Roll call was taken.

APPROVAL OF MINUTES:

Upon a motion to approve the minutes of the May 15, 2006 Regular meeting, by Mr. Ferry and seconded by Mr. Fowler, the Board voted to approve the motion as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

ADMINISTRATION OF OATH

Katrina Thomas, City Attorney, administered the oath to all those present that would testify.

CERTIFICATION OF FINE

Case #06-082 and 06-084 Robert Martin Gilroy: Mr. Martin reported that this violation of failure to keep the building and surrounding premises in a clean and sanitary condition, causing foul odor at 118 West Golflinks Avenue is still ongoing, as is the dilapidated roof. He distributed photographs and noted that the exterior of the house has been painted and the yard cleaned up. Officer Driskell of the Eustis Police Department testified that when he was at Mr. Gilroy's residence, he observed a strong foul odor, and that the floor was covered with debris and rubbish to the point where you couldn't tell if there was carpet or not. Mr. Weatherford, attorney for Mr. Gilroy, stated that Mr. Gilroy was hospitalized for a short time, and that they have been trying to find a contractor to do the roof repair. Mr. Martin informed him that because of laws currently in place, licensed general contractors, in addition to roofing specialists, could do roof work. Mr. Weatherford noted that they will be obtaining a dumpster to place at the location to further facilitate clean-up of the residence, and that they have begun bagging trash and putting it out to the curb, as well as replaced Mr. Gilroy's toilet. He reported that the plumbing issue has been fixed, and that Mr. Gilroy now has running water available inside the house. He asked the Board for additional time to continue the cleanup work.

Ms. Evans-Norcross made a motion to postpone action on Cases #06-082 and 06-084 until the August meeting, at which time Mr. Weatherford is to appear and update the Board on the progress of these cases. Mr. Ferry seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

NEW CASES

Case #06-114 Susan Rumpf: Mr. Martin stated that this case involves exterior façade violations, torn/missing screens, and the yard not having enough vegetative groundcover to eliminate areas of bare dirt, at 421/423 East Citrus Avenue. Mr. Martin distributed photographs, and stated that the dirt parking areas were the only violations left to remedy. Ms. Rumpf testified that she plans to put down mulch to delineate the parking areas from the rest of the yard.

Ms. Evans-Norcross made a motion that Susan Rumpf is in violation of City Code, and to allow 30 days for compliance in Case #06-114 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-116 Susan Rumpf: Mr. Martin reported that this case is for overgrown property and an accumulation of trash on the property east of the garage and an accumulation of trash and yard trash in the public right-of-way of Hawley Street, at 504 East Orange. He distributed photographs. Ms. Rumpf testified that the tenants were maintaining the property, but have stopped doing so recently. She stated that it would be mowed within a day or two.

Ms. Evans-Norcross made a motion that Susan Rumpf is in violation of City Code, and to allow 10 days for compliance in Case #06-116 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-143 Felix Gonzales & Anabel Lopez: Mr. Martin reported that this case is for a window that is cracked (other violation of solid waste was cleared prior to the meeting) at 2112 Virginia Avenue. Ms. Lopez, through her daughter translating, stated that the window in question was not cracked, but had a piece of tape on it. Mr. Martin concluded that based on this testimony, that this case be dismissed, and advised Ms. Lopez to remove the tape from the window.

Mr. Warren made a motion to dismiss Case #06-143 because of the testimony received. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-172 Felipe DeJesus & Felipe Gonzalez: Mr. Martin stated that this case involves an unlicensed vehicle that is visible from a neighbor's pool deck, on the property at 2736 East Dellwood Drive. He distributed photographs. Mr. Gonzales testified that the vehicle has already been sold and is supposed to be picked up today.

Ms. Evans-Norcross made a motion that Felipe DeJesus & Felipe Gonzalez are in violation of City Code, and to allow 10 days for compliance in Case #06-172 or a fine of \$25.00 per day of occurrence will be imposed. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

CONSIDERATION FOR REDUCTION OF LIEN

Cases 04-001, 04-002, 06-040 Willie F. Faust, Jr.: Mr. Martin reminded the Board that these cases were for overgrown vacant property on the corner of Titcomb Street and Mills Avenue. Mr. Faust testified that he has had a problem finding reliable help, and has paid over \$2,000 to people to maintain this property. He stated that this property has been in his wife’s family for some time, and that he does not want it to be a bad reflection on them. He reported that he has a local friend, Chris Shaw, now helping to keep an eye on the property and have it mowed when needed. Discussion ensued regarding a reduction of the fine amount, and whether Mr. Faust has a signed contract with a landscaping company for present and future mowing. Mr. Faust testified that he would have a contract in-hand before he left town. Mr. Sneed reported that the property was again overgrown for several weeks prior to its being cut this past Friday (7-14-06).

Mr. Ferry made a motion to reduce the penalty in Cases #04-001, 04-002, and 06-040 to a total of \$1,200.00, to be paid as \$100.00 per month for 12 months and to have a signed contract for maintenance of the property within 5 days, and if a payment was missed or a contract not produced, that the fines would revert back to the full original amount. Mr. Warren seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Mr. Ferry made a motion to rescind the Board’s recommendation of foreclosure on the above-mentioned cases. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Note: Mr. Faust returned during the meeting with a signed contract, and was informed that his reduction would have to be approved by the City Commission.

CERTIFICATION OF FINE, CONT’D

Cases 06-083 and 06-134 Matthew J. Scopteuolo: Mr. Martin reported that the violations of overgrown property (repeat violation) and a dead tree on the vacant property on the west side of Country Club Road, between Lakeside Terrace and Overview Lane have not been corrected.

Mr. Fowler made a motion to certify the fines in both Cases #06-083 and 06-134, as the property remains in violation. Mr. Ferry seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Absent
Mr. Holland	Aye		

NEW CASES, CONT'D

Case #06-047 Harriett Denise Primus: Mr. Martin stated that this case consists of unlicensed vehicles, junk boats and trailers, and other miscellaneous equipment on the property at 1405 Johnson Street. He distributed photographs and noted that the vehicles have been removed, but that there still were trailers, boats, etc. on the property. He reported that he was in contact with the property owner's fiancée, who stated that he would be down from South Carolina to take care of the situation, but has yet to do so.

Mr. Ferry made a motion that Harriett Denise Primus is in violation of City Code, and to allow 10 days for compliance in Case #06-047 or a fine of \$100.00 per day of occurrence will be imposed. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-049 Harriett Denise Primus: Mr. Martin stated that this case consists of overgrown property, an accumulation of solid waste, a dead tree, an accumulation of trash and debris in the public right-of-way, and a broken window at 1405 Johnson Street. He distributed photographs and testified that the yard has been partially mowed, but that is it.

Mr. Ferry made a motion that Harriett Denise Primus is in violation of City Code, and to allow 10 days for compliance in Case #06-049 or a fine of \$150.00 per day of occurrence will be imposed. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-105 Church of the Kingdom of God: Mr. Martin reported that this case is for an accumulation of dead tree limbs, trash and rubbish, a fallen dead palm tree, an abandoned tire, and overgrown conditions on a vacant lot north of 311 West Lakeview Avenue. He distributed photographs and noted that he spoke with a representative of the church, to clear up exactly what property was in violation, and passed along a lot mowing referral list. He testified that the tire has been removed and that the lot has been partially mowed, but that none of the other violations have been addressed.

Mr. Ferry made a motion that Church of the Kingdom of God is in violation of City Code, and to allow 10 days for compliance in Case #06-105 or a fine of \$50.00 per day of occurrence will be imposed. Ms. Evans-Norcross seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-126 Marshall & Betty Gaard: Mr. Martin testified that this violation is for overgrown property, appliances left outdoors, trash and yard trash, and accumulations of discarded personal property at 205 Cardinal Street. He distributed photographs and noted that the property was still overgrown and had appliances outdoors, but that some of the trash and yard waste had been removed.

Ms. Evans-Norcross made a motion that Marshall & Betty Gaard are in violation of City Code, and to allow 10 days for compliance in Case #06-126 or a fine of \$100.00 per day of occurrence will be imposed. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-173 Rupert & Monica Preddie: Mr. Martin reported that this violation is for overgrown conditions at a vacant lot on the east side of North Lakeshore Court (Lot 3). He distributed photographs and noted that the property is still in violation, and that this is a recurring violation.

Ms. Evans-Norcross made a motion that Rupert & Monica Preddie are in violation of City Code, and to allow 10 days for compliance in Case #06-173 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Holland seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-174 Rupert & Monica Preddie: Mr. Martin reported that this violation is for overgrown conditions at a vacant lot on the east side of North Lakeshore Court (Lot 4). He distributed photographs and noted that the property is still in violation, and that this is a recurring violation.

Ms. Evans-Norcross made a motion that Rupert & Monica Preddie are in violation of City Code, and to allow 10 days for compliance in Case #06-174 or a fine of \$50.00 per day of occurrence will be imposed. Mr. Holland seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-182 Kevin Sr. & Nicie Parks: Mr. Martin stated that this case involves unlicensed vehicles on the property at 1110 South Street. He distributed photographs and testified that several cars have been removed, but that one van remains. He reports that he spoke with Mr. Parks who said that the van has been sold, but that when the buyer came to pick it up, the van died.

Ms. Evans-Norcross made a motion that Kevin Sr. & Nicie Parks are in violation of City Code, and to allow 10 days for compliance in Case #06-182 or a fine of \$15.00 per day of occurrence will be imposed. Mr. Holland seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-183 Ronald & Janette Sweeting: Mr. Martin reported that this violation is for a tree removed without a permit at 1325 Scenic Drive. He reported that 3 trees were removed, but one was determined to be a large bush, and one was exotic/invasive, thus not needing permits. The one protected tree was removed prior to inspection, so the DBH is presumed to be 6 inches. He distributed photographs and noted that the trees were removed by Tip Top Tree Experts. The replacement value for this case is 12 inches (6" x 2).

Ms. Evans-Norcross made a motion that Ronald & Janette Sweeting are in violation of City Code, and to allow 30 days for compliance in Case #06-183 or a fine of \$250.00 per day of occurrence will be imposed.

Additionally, that Tip Top Tree Experts did violate City Code, and are fine in the amount of \$500.00 payable within 30 days from today. Mr. Fowler seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-189 Lissa & Wisner Benoit: Mr. Martin stated that this case is for an accumulation of construction and demolition debris, containers, and screens left outdoors at 20 South Mary Street, as well as the Occupational License hasn't been transferred to the new owners' name. He distributed photographs and testified that the screens have been removed and the cinderblocks have been neatly stacked next to the garage, thus clearing the violation.

Mr. Fowler made a motion to dismiss Case #06-189 because of the testimony received. Mr. Holland seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

CONSIDERATION FOR FORECLOSURE

Case #02-293 James E. Williams: Mr. Martin reported that this case involving an unsafe structure at 1105 East McDonald Avenue has been accruing a fine of \$250.00 per day since October 1, 2002, and has accrued \$346,350.00 to date, and the violation is still outstanding.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they begin foreclosure proceedings for Case #02-293. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #05-352 Mary Anne Shaver c/o Julia Vinson: Mr. Martin reported that this case involving overgrown property at 1501 Tyringham Road has been accruing a fine of \$10.00 per day since December 1, 2005, and has accrued \$2,280.00 to date, and the violation is still outstanding.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they begin foreclosure proceedings for Case #05-352, and that Public Works be requested to mow the property. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #05-316 James Mathis c/o Eric Cooper: Mr. Martin reported that this case involving overgrown conditions and debris on vacant property at the end of Rose Lane has been accruing a fine of \$50.00 per day since December 1, 2005, and has accrued \$11,400.00 to date, and the violation is still outstanding.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they begin foreclosure proceedings for Case #05-316, and that Public Works be requested to mow the property. Mr. Holland seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-018 Florida Community Capital Corp.: Mr. Martin reported that this case involving overgrown conditions at a vacant lot on the west side of Danvers Street has been accruing a fine of \$25.00 per day since March 2, 2006, and has accrued \$3,425.00 to date, and the violation is still outstanding.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they begin foreclosure proceedings for Case #06-018, and that Public Works be requested to mow the property. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

Case #06-019 Florida Community Capital Corp.: Mr. Martin reported that this case involving overgrown conditions at a vacant lot on the north side of East McDonald Avenue has been accruing a fine of \$50.00 per day since March 2, 2006, and has accrued \$6,850.00 to date, and the violation is still outstanding.

Ms. Evans-Norcross made a motion to recommend to the City Commission that they begin foreclosure proceedings for Case #06-019, and that Public Works be requested to mow the property. Mr. Bagg seconded, and the motion was approved as follows:

Mr. LaValle	Aye	Mr. Ferry	Aye
Ms. Evans-Norcross	Aye	Mr. Bagg	Aye
Mr. Fowler	Aye	Mr. Warren	Aye
Mr. Holland	Aye		

OTHER BUSINESS

Mr. Martin welcomed the new member, Mr. Holland to the Board.

Discussion was had regarding the imposition and calculation of administrative fines. It was decided that the matter would be presented in January at the yearly Organizational Meeting, as a Board policy.

The Board discussed putting any Considerations for Foreclosure at the top of the agenda, to reinforce to people in the audience that these cases are a serious matter, and can have serious consequences. It was also discussed that to save money, only 2 sets of photographs will be printed, and the members would pass them along.

ADJOURNMENT

There was no further business and the meeting was adjourned at 4:36 p.m.

Respectfully submitted,

Christina Selage
Recording Secretary

Robert LaValle
Chairman