

**Code Enforcement Board
Meeting Minutes
September 21, 2017**

A regular meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, September 21, 2017 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 5:59 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member arrived 6:02
Michael Klug	Board Member
Bill Terrell	Board Member
David Lightholder	Board Member

MEMBERS ABSENT:

Michael Cicerella	Board Member
Stephanie Moretto	Alternate Board Member

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
John Hankins	Police Department - Major
Michael Mack	Code Enforcement Officer
Steve Murdick	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney – via phone
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: September 21, 2017

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled, and withdrawn). Chairman Jim Gifford asked to postpone the Code Enforcement Board meetings for October and November due to hurricane Irma. Board vote and vote carried 4-1, Mr. Brown objected. Ms. Weaver wasn't present for vote.

Motion by Mr. Lightholder, seconded by Mr. Klug, to approve the agenda of September 21, 2017 as amended. Vote on the motion carried unanimously (5-0). Ms. Weaver wasn't present for vote

2. Approval of Meeting Minutes: August 17, 2017

Motion by Mr. Terrell, seconded by Mr. Lightholder, to approve the minutes of August 17, 2017, as written. Vote on the motion carried unanimously (5-0). Ms. Weaver wasn't present for vote.

NEW BUSINESS:

None

CASES:

1. CE-17-372 – 240 Orange St

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for twenty-five dollars (\$25.00) per day until found in compliance.

Aleck J Greenwood, 640 Brevard Ave # 201, was sworn in. Mr. Greenwood stated he knows what is required for the property to be in compliance. He explained that the structure doesn't need to be painted but the stucco needs to be removed, re-stucco and then painted. Mr. Greenwood gave a little history for the properties that he owns in the same neighborhood. Mr. Greenwood also addressed that issues regarding 252 Orange St, case # 17-391, he stated he could have the violations corrected in the recommended time frame. He stated at this location, 252 Orange St, the vehicles were left behind from the previous tenants. He explained he has spoken with the DMV regarding the removal of the vehicles.

Chairman Gifford asked Mr. Greenwood what time frame he would need to bring 240 Orange into compliance, Mr. Greenwood stated he would like three months.

Discussion amongst the Board members, staff and Mr. Greenwood.

Motion by Mr. Brown, seconded by Ms. Weaver, to approve Staff's recommendation amending the time frame from 30 Days until the date of January 18, 2018 and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

2. CE-17-386 – 223 Orange St

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b), Weeds, Ch 6 Sec. 6-1001(d) and Exterior General Condition Ch 6 Sec. 6-1003 (a), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance.

Ralphael Martin, 236 Factory St, was sworn in. Mr. Martin gave testimony that he is a family member helping Ms. Ellis. Mr. Martin agreed that the recommended time frame was good for them to achieve compliance.

Discussion amongst the Board members and staff Motion by Mr. Terrell, seconded by Ms. Weaver, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

3. CE-17-391 – 252 Orange St

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and AAP. A, ART. XII, SEC. 3 Minimum standards for the design of off-street parking. of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for seventy-five dollars (\$75.00) per day until found in compliance.

Aleck J Greenwood was sworn in earlier for case # CE-17-372. Mr. Greenwood explained the issue regarding the abandon vehicles at the location. Mr. Greenwood stated that he agreed to the 30 days that staff recommending.

Discussion amongst the Board members and staff.

Motion by Ms. Weaver, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

4. CE-17-392 – 244 Orange St

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Protective Treatment, Ch 6 Sec. 6-1003 (b), of the City of Cocoa Code.

Officer Murdick requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for twenty-five dollars (\$25.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff Motion by Ms. Weaver, seconded by Mr. Lightholder, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

5. CE-17-473 – 1419 N Lakemont Dr.

This Case was tabled

6. CE-17-531 – 1227 Jackson St.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in

violation of Parking in Yard Ch 6 Sec. 6-900 (b)(9), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Storage of Rec. Vehicles, App A Art. XIII Sec 14 (a-d), of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for one hundred dollars (\$100.00) per day until found in compliance.

Arthur Patrick, 1227 Jackson St, was sworn in. Mr. Patrick stated he was there on behalf of the property owner. Mr. Patrick asked what exactly he needed to correct so that he can be in compliance.

Discussion amongst the Board members, staff and Mr. Patrick.

Motion by Mr. Brown, seconded by Mr. Klug, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

7. CE-17-539 – 1087 Clearlake Rd.

Code Enforcement Officer Michael Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner is in violation of Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and Protective Treatment, Ch 6 Sec. 6-1003 (b), of City of Cocoa Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until October 21, 2017 (30 days) to come into compliance or impose a fine for fifty dollars (\$50.00) per day until found in compliance. Owner was not present. Discussion amongst the Board members and staff. Motion by Mr. Lightholder, seconded by Mr. Klug, to approve Staff's recommendation amending the amount of the fine from \$50.00 to \$250.00 per day and find the Property Owner in violation. Vote on the motion carried unanimously (6-0).

NON-COMPLIANCE:

1. CE-16-461 – 1235 Holmes St.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Accessory Structures Ch 6 Sec. 6-1001 (g), Weeds, Ch 6 Sec. 6-1001(d), Protective Treatment, Ch 6 Sec. 6-1003 (b) and Parking in Yard Ch 6 Sec. 6-900 (b)(9), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on May 18, 2017 and the Property Owner was given until June 18, 2017 to correct the violation or impose a fine in the amount of one hundred dollars (\$100.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance for 94 days and impose a fine in the amount of \$9,400.00.

Johnny Dennis, 1235 Holmes St, was sworn in. Mr. Dennis explained that he didn't come into compliance in the given time frame because of time and effort.

Discussion amongst Board members, staff, and Mr. Dennis.

Motion by Ms. Weaver, seconded by Mr. Lightholder, to accept Staff's recommendation and find the Property Owner in non-compliance for 94 days and set the fine amount at \$9,400.00. Vote on the motion carried unanimously (6-0).

2. CE-17-179 – 2507 Stanford Dr.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and Accessory Structures Ch 6 Sec. 6-1001 (g), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on July 20, 2017 and the Property Owner was given until August 19, 2017 to correct the violation or impose a fine in the amount of one hundred twenty-five dollars (\$125.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance impose a fine in the amount of one hundred twenty-five dollars (\$125.00) per day until found in compliance. Discussion amongst Board members and staff. Motion by Ms. Weaver, seconded by Mr. Klug, to accept Staff's recommendation and find the Property Owner in non-compliance. Vote on the motion carried unanimously (6-0).

3. CE-17-299 – 1061 Park Dr.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Accessory Structures Ch 6 Sec. 6-1001 (g), Weeds, Ch 6 Sec. 6-1001(d), Protective Treatment, Ch 6 Sec. 6-1003 (b) and Parking in Yard Ch 6 Sec. 6-900 (b)(9), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on May 18, 2017 and the Property Owner was given until June 18, 2017 to correct the violation or impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance for 18 days and impose a fine in the amount of \$1,350.00.

Jamie Mead, 2325 Bentley St Merritt Island, was sworn in. Ms. Mead gave testimony that the property complied on August 24, 2017 and she has pictures to show the compliance.

Discussion amongst Board members, staff and Ms. Mead.

Motion by Mr. Brown, seconded by Mr. Klug, to accept Staff's recommendation and find the Property Owner in non-compliance amending the date of compliance as August 24, 2017 and the to set the fine amount to \$300.00. Vote on the motion carried unanimously (6-0).

4. CE-17-311 – 1055 Bellefonte Ave.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Accessory Structures Ch 6 Sec. 6-1001 (g) and Protective Treatment, Ch 6 Sec. 6-1003 (b), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on July 20, 2017 and the Property Owner was given until August 19, 2017 to correct the violation or impose a fine in the amount of one hundred dollars (\$100.00) per day until found in compliance. Officer Murdick requested that the Board find the

Property Owner in non-compliance for 32 days and impose a fine in the amount of \$3,200. Discussion amongst Board members and staff. Motion by Mr. Terrell, seconded by Ms. Weaver, to accept Staff's recommendation and find the Property Owner in non-compliance for 32 days and set the fine amount at \$3,200.00. Vote on the motion carried unanimously (6-0).

5. CE-17-308 – 1044 Bellefonte Ave (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of Weeds, Ch 6 Sec. 6-1001(d), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and Protective Treatment, Ch 6 Sec. 6-1003 (b), of the City of Cocoa Code. Officer Murdick stated that the Case was heard on July 20, 2017 and the Property Owner was given until August 19, 2017 to correct the violation or impose a fine in the amount of seventy-five dollars (\$75.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance for 18 days and impose a fine in the amount of \$1,350.

Hashi Richard, P.O Box 770504, legal representative for Us Bank NA. Ms. Richards was available for questions from the Board Members.

Discussion amongst Board members and staff.

Motion by Mr. Klug, seconded by Mr. Lightholder, to accept Staff's recommendation and find the Property Owner in non-compliance for 18 days and to set the fine amount at \$1,350.00. Vote on the motion carried unanimously (6-0).

6. CE-17-120 – Tax # 2425112 (Officer Murdick)

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of App. A, Art. XII, Prohibited accessory structures, of the City of Cocoa Code. Officer Murdick stated that the Case was heard on May 18, 2017 and the Property Owner was given until July 18, 2017 to correct the violation or impose a fine in the amount of twenty-five dollars (\$25.00) per day until found in compliance. Officer Murdick requested that the Board find the Property Owner in non-compliance for 64 days and impose a fine in the amount of \$1,600.00.

Rolando Balleras, 2023 Sepler Court, Fern Park, was sworn in. Mr. Balleras gave testimony that it took time because was giving the owners of the sheds the time needed to remove them. Mr. Balleras stated that Ms. Bailey explained she is having trouble finding people to help her clean the sheds out so that the sheds can be removed.

Discussion amongst Board members, staff and Mr. Balleras.

Motion by Mr. Klug, seconded by Ms. Weaver, to accept Staff's recommendation and find the Property Owner in non-compliance for 64 days and to set the fine amount at \$1,600.00. Vote on the motion carried unanimously (6-0).

LIEN REDUCTION:

None

DEMOLITION APPEALS:

None

OTHER BUSINESS:

I. Manager Announcements

Code Manager Dennis Bunt updated the Board members regarding the role Code Enforcement will be taking in the community since the hurricane and what the division's goals will be until after the first of the year.

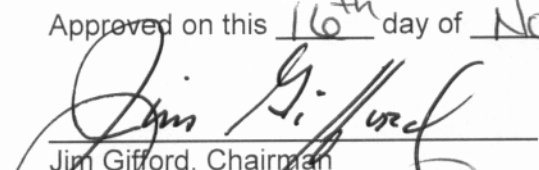
NEXT MEETING:

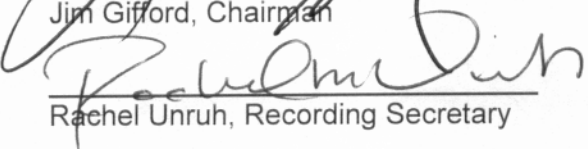
The Board members established that the next meeting would be held on January 18, 2018.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:22 PM.

Approved on this 16th day of November, 2017.


Jim Gifford, Chairman


Rachel Unruh, Recording Secretary