

**CODE ENFORCEMENT BOARD
REGULAR MEETING
May 13, 2019**

The City of Lake Wales Code Enforcement Board held a regular meeting on May 13, 2019 at 5:00 p.m. in the City Commission Chamber located in the City Administration Building.

ATTENDANCE

**Code Enforcement Board Members
(Shaded area indicates absence):**

Chairman Murray Zacharia	Vice-Chair Ralph Marino	Wilena Vreeland	Sara Jones	Donald King	Dwight Wilson	VACANT
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Albert (Chuck) Galloway, Jr. – City Attorney
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City Staff: Planning and Development Department
Brian Nadeau – Code Compliance Officer
Jose Lozada– Code Compliance Officer
Fany Lozano – Recording Secretary

- 1) **CALL TO ORDER** – Meeting called to order at 5:00 pm
- 2) **ROLL CALL** – A quorum was present
- 3) **APPROVAL OF MINUTES** – Regular Meeting – April 8, 2019

Wilena Vreeland made a motion to approve the minutes. Dwight Wilson seconded the motion. All voted in favor. The motion passed unanimously.

- 4) **ADMINISTER OATH/MISCELLANEOUS ITEMS**
 - 4.1 Board secretary administered the oath to staff and respondents.

5) CASES/REDUCTION/RELEASE OF LIENS

5.1 Case # 201800215
City of Lake Wales VS Michael and Melissa Fisher
802 Campbell Ave
PID: 27-30-01-884000-060110
Violation(s) : Multiple Violations

Michael Fisher, property owner was present and provided testimony.
David Mark Price, neighbor was present and provided testimony.

Code Compliance Officer Jose Lozada presented the case and its history. He stated that building permits have been issued for repairs on this property, however those permits have expired. Other violations of high grass and weeds, and junk and trash have also been observed at the premises. The premises were posted unsafe/uninhabitable. Notices of violation and notices to appear were mailed and also posted on the property, and the property owner has been unresponsive. There have been previous cases on this property for similar violations. He stated that staff requests:

1. Find that all cited violations were allowed to exist past the date for correction and,
2. Find that Proper Notice has been afforded to the Property Owner and,
3. Find that all Procedural requirements have been met.

Staff recommends:

1. Authorize an administrative lien in the amount of \$250 per day to be placed against the property effective today (May 13, 2019) until such time as all violations are corrected, and an affidavit of compliance is issued by a representative acting for the city and restitution is made for all fines and costs incurred by the city.

Mr. Fisher addressed the board and stated he never intended for his property to look the way it looks, but that he has had financial and legal issues with other contractors not paying him for his services. He stated that he does not live at the property and that he intends to repair the property to possibly rent it out or sell it. He is requesting that the Board allow him more time to come into compliance. He stated that he has retained a landscaping contractor and the grass should be maintained from now on. Ms. Jones asked when the dumpster bags will be picked up. Mr. Fisher responded that they should be picked up between May 17 and May 19th. Mr. Marino asked what is his intention with the stack of lumber on the premises? Mr. Fisher responded that the lumber is actually the siding to the house and that he intends to get everything cleaned up until permits can be re-issued. Mr. Price who is the neighbor to Mr. Fisher addressed the Board and stated that he lives near the residence and that he is embarrassed by the way the property looks. He stated that the Board should allow the fines to accrue as he feels the condition of the home is getting worse. Ms. Vreeland stated that she drives down that street and she too has seen the property in this condition for the past two years. Ms. Vreeland made a

motion to accept staff recommendations. Mr. Wilson seconded the motion. Ms. Jones asked for clarification on the recommendation. She asked if this was a one time fine? Officer Lozada responded that it is a daily fine until compliance. All voted in favor. The motion passed unanimously.

Code Compliance Officer Lozada made a clarification for the records that the fines will accrue until there is correction of the high grass and weeds, the junk and trash and until permits are issued or renewed. Mr. Fisher responded that he understood. Ms. Vreeland also made Mr. Fisher aware that once he is in compliance that he can come back before the board to request a reduction or elimination of the fines. Mr. Galloway reiterated Ms. Vreeland's comment concerning a reduction or elimination of the fines.

6) COMMUNICATIONS AND PETITIONS


There was open discussion about changing the Board's meeting time from 5pm to 5:30pm or possibly 6pm. All board members were in agreement that changing the time will benefit those who currently have jobs and may need the extra time to get here for the meeting. They also stated that it would be beneficial as it may attract others to join the Board if the meeting starts after 5pm.

Rita Ryan, neighbor of Mr. Fisher addressed the Board and stated that she tried to contact the Fisher's many times but was unsuccessful in locating a phone number for them. She stated the Fisher's bought a house four years ago in a gated community in Winter Haven for \$375,000 and that they don't have to look at Tyvek all the time. She stated that she has looked through the windows of the home and four armadillos came out towards her and that the home smells like animal urine. She stated that it is not as pretty as Mr. Fisher makes it sound. She says that she believes that the house can be beautiful if someone would just work on it.

7) ADJOURNMENT

OTHER BUSINESS

With no further business to discuss, the meeting was then adjourned.


_____, Chairman or
Ralph Marino_____, Vice Chairman

Attest:


Fany Lozano, Recording Secretary