

**CITY OF LAKE CITY
MINUTES
CODE ENFORCEMENT BOARD
NOVEMBER 13, 2008**

Invocation was given by Mr. Haskett followed by the Pledge of Allegiance. Acting Secretary Linda Jones did the roll call of members.

1) Roll Call: The roll was called as follows:

Mr. Anschultz, Chairman	- present		
Ms. Jones	- present	Mr. Adel	- present
Mr. Haskett	- present	Ms. Allum	- present
Mr. George	- present	Ms. Worthington	- present

Also present were Mr. Norris, Board Attorney, Sandra Caslow, and Mike Renfroe, Code Enforcement Officers, and Mr. Scott Reynolds, City Manager.

- 2) Review and approve the minutes of the October 9, 2008, Board Meeting: Mr. Haskett made the motion to approve the minutes as written. Mr. Adel seconded the motion. Minutes of the October 9, 2008 meeting were approved. A roll call vote was taken, motion carried unanimously.
- 3) OATH: Mrs. Jones placed Mike Renfroe under oath.
- 4) OLD BUSINESS: None
- 5) NEW BUSINESS

A. CEO-Mike Renfroe-Case #52400044, Evelyn Pearce, owner and Elbert Manker life estate holder 158 NE Montana Street, Lake City, FL. Violation Ordinance 2007-1112, Section 22-175 (International Property Maintenance Code), multiple sub-sections.

On June 24, 2008, this property was inspected and determined in was in violation of the property maintenance code for multiple violations. A printout copy from the County Property Appraiser's website was submitted for the record.

This property was declared a Public Nuisance in accordance with Ordinance 2007-1112, Section 22-191(B); Abandoned buildings are attractive nuisances when un-secured or un-securable and when by reason of abandonment or neglect they contain unsafe walls, roofing, or flooring, unsafe wiring, fire hazards or other unsafe conditions as further defined herein and (D) major or minor violations of this Code which cumulatively impact upon premises to the point whereby

conditions can potentially endanger human life or substantially and detrimentally affect the safety or security of occupants, nearby occupants or passers-by.

Mr. Renfroe provided several photographs of the premises showing the violations of Section 301.3 and 302.1. The property was not maintained in a safe, clean, secure and sanitary condition and the exterior of the property was littered with trash and debris. Section 302.4, weeds, property shown in the pictures was overgrown with weeds. 304.3 address assigned not posted on building. There are no assigned numbers displayed on the structure as required. Section 304.7, roof is a wood frame with tin covering in poor condition. Tin is badly rusted and loose from framing, not maintained in good repair. Section 304.13, has to do with windows, some windows are broken or missing, doors are broken or missing. 304.14 is in reference to the insect screens missing. 305.1 wooden floor is not in good repair or structurally sound. 504.3 plumbing system has parts either missing or damaged, improper material type for supply piping. 604.3 electrical system is damaged or has parts missing, evidence of electrical fire. 704.1 no fire extinguisher. 704.2 no smoke detectors. The accumulation of violations were the reason for declaring the premises a Public Nuisance.

On June 25, 2008, property was inspected by Troy Crews, Chief Building Inspector, a copy of his report was submitted for the record substantiating each of the violations previously mentioned.

On July 21, 2008, a Warning Notice was issued to property owner and life estate holder. Notice was delivered by posting on property and at City Hall, Certified Mail return receipt requested, and first class mail. Notice ordered property owner to demolish the structure and remove all debris and trash from property within forty five (45) calendar days from receipt of Notice. A copy of the Warning Notice was submitted for the record. A copy of the Ownership and Encumbrance Report was submitted for the record along with certified mail receipts.

On September 2, 2008, property was re-inspected and found in the same condition. Mr. Renfroe stated photos are identical to those previously shown.

On September 22, 2008, Notice of Hearing was issued and delivered by certified mail return receipt requested.

On September 23, 2008 Notice received by respondents. Mr. Renfroe did not receive confirmation until it was too late to prepare the case for last month's Code Board Hearing. Copies of Notices and certified mail receipts submitted to the Board for the record.

On October 15, 2008 Notice of Hearing reissued to the property owner and life estate holder. Notices delivered by posting on the property and at City Hall, certified mail, return receipt requested, and First Class Mail. Copy of Notice and certified mail submitted for the record.

Staff's recommendation to the Board was to find property in violation, the City take immediate action to bring property into compliance, subsequently bill owner for all costs.

Mr. Haskett inquired about the location of this violation. Mr. Renfroe explained this property is contiguous to previous properties in violation.

OATH: Mrs. Jones placed Ms. Irene Roundtree, 904 NW Lake Jeffrey Rd., Lake City, FL, under oath.

Ms. Roundtree stated property is owned by her mother, Evelyn Pearce, and uncle Elbert Manker. She stated they are not financially able to do what needs to be done to the property. She said hopefully the City will tear it down, the land can be sold, and the City will get their money back.

Ms. Allum asked what the procedure would be in a case like this when they say they can't financially afford to comply. There was discussion about a previous property found in violation where an agreement was made by the City Manager for the owner to pay tippage fees.

OATH: Mrs. Jones placed Ms. Sandra Caslow, under oath.

Ms. Caslow stated that the case they were discussing from two months ago where the City Manager had agreed the property owner would only have to pay tippage was because of the recent criminal activity at that location. Ms. Caslow explained the way the procedure should work is the Board would move forward with a demolition order for immediate compliance, if the Board does not wish to grant additional time or if the owner's don't ask for additional time. The owner would then be sent a bill and allowed thirty days to pay all of the fees associated with the demolition. If the bill is not paid, a lien can be filed against the property. Once the lien is filed, it runs in favor of the City.

Ms. Allum asked if they decided to sell the property in the future, the lien amount would be taken from the sale price and repaid to the City? Ms. Caslow stated the lien would be an encumbrance on the property for twenty years. If the property sells the City would have to be paid.

Mr. Anschultz asked what the value of the property is. Ms. Caslow stated Property Appraiser listed the land value at \$1,638, building value at zero, total taxable \$2,638. There was further discussion about the lot size.

Ms. Roundtree asked if we knew about how much it was going to cost for the demolition. She was told about how much the previous demolitions cost. Ms. Allum asked whose responsibility it would be to maintain the lot once the house was removed. Ms. Caslow stated the City has no continuing obligation to maintain the property. It is the owner's responsibility to maintain the property.

Ms. Roundtree asked how long she would have to pay the money once the house is torn down. Ms. Caslow stated the invoice will give thirty days for payment. She also stated Ms. Roundtree could request a payment plan from the Board for repayment or once the lien is filed, she could request a payment plan from City Council. Ms. Caslow will obtain clarification of Board approving a payment plan.

OATH: Mrs. Jones placed Mr. Scott Reynolds, under oath.

Mr. George asked Mr. Reynolds if the City can step in and help people clean up their property when they cannot afford to. Mr. Reynolds stated we are trying to do that. He stated the City is willing to set up payment plans and try to make it as affordable as possible especially where criminal activity is present. Ms. Jones asked about the possibility of a Block Grant. Mr. Reynolds stated the SHIP program is available through the County. Mr. Adel asked what the cost was that the owner incurred for the last case. Ms. Caslow stated it was a little over \$700 for tippage. Mr. Adel asked if the City would look at incurring expenses as a preventative measure to prevent the same activity from returning to the area. Mr. George stated this area was targeted after the storm and a lot of demolition went on in that area after the storm, was there any funding from State or Federal that came in for demolition because of that storm, and if so could that be used to eliminate some of this junk? Mr. Reynolds stated Council felt it was appropriate instead of using the funds for demo to remove the homes is to try to save as much cash as possible by having the City and County crews in demoing the homes that were structurally unfit to be rehabbed to help build towards a new home. Sandra and Growth Management have worked, we're still demolishing homes at this point, cause that was a Council decision that City crews demo these homes to save as much cash as possible to build new ones. The City has a \$750,000 CDBG Grant and also Emergency Set Aside funds for new homes. That money could have been used to demo and remove those houses.

Mr. George made a motion to find in violation Case # 52400044, request that the City take immediate action to bring the property into compliance and bill the owner for all applicable costs. The motion was seconded by Ms. Worthington. A roll call vote was taken and the motion passed.

Ms. Jones	Aye	Mr. Adel	Aye
Mr. Haskett	Aye	Ms. Allum	Aye
Mr. George	Aye	Mr. Anschultz	Aye
Ms. Worthington	Aye		

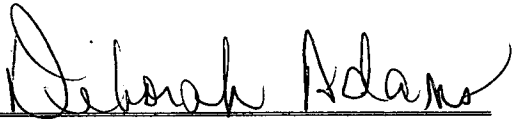
(See Minutes of Contractor's Board of Examiner's and Appeals dated November 13, 2008)

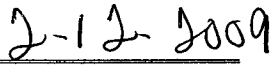
6) WORKSHOP QUESTIONS: Mr. Anschultz inquired as to how the Sunshine Public Records class went. Ms. Caslow stated that she has a copy of the

book for those not in attendance and those who were in attendance who did not receive their book. Mr. Anschultz thanked Mr. Reynolds for his input.

7) ADJOURNMENT Mr. George made a motion to adjourn, seconded by Ms. Jones. All in favor.

All matters having been handled, the meeting adjourned on a motion made and duly seconded.


Deborah Adams
Code Enforcement Board Secretary


2-12-2009
Date Approved

Minutes were transcribed from audiotape. Minutes were typed by Code Enforcement Officer Sandra Caslow.