

**Code Enforcement Board Minutes**  
**City of Wauchula**  
**April 26, 2010**

The Wauchula Code Enforcement Board met Monday, April 26, 2010 at 5:30 P.M.

After the Pledge of Allegiance, Secretary Gibbs called roll with the following members present: Chairman John Woodburn, Patricia Clark, Gerald Waldron, and Vice-chairman Frank Notar and Sue Conner. Woodburn declared a quorum. Also present were Attorney Cliff Ables, Code Enforcement Officers Kathleen Whaley and Raina H Bergens, and people in the audience.

Attorney Ables swore in Code Enforcement Officers Whaley and Bergens and anyone testifying about the cases.

Waldron made the motion, seconded by Clark to accept the minutes with corrections from the March 22, 2010 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**Request for Fine Removal – #09-110-M – Salvador Deloera – 518 W Main Street** – The defendant was present. CEO Whaley testified that Mr. Deloera had hired a man that led him to believe that the work was complete when it wasn't and the Board had found him guilty. He is now requesting that the fines be removed since he has finished 100% of the work. "In **Case #09-110-M**, I move that the City of Wauchula Code Enforcement Board forgive the entire fine of \$13,500.00 of the fine imposed." Conner made the motion, seconded by Waldron. Gibbs polled the Board. All were in favor. Motion carried.

**CASES**

**07-194-M – Brian & Betty Larimer – 508 S 7th Ave** – The defendants were not present. CEO Whaley testified that Mr. Larimer had called and stated that he and his wife were sick and couldn't attend the meeting. There is a shed that is left to be torn down and he is requesting a continuance until June. "I move that the City of Wauchula Code Enforcement Board continue **Case #07-194-M, Brian & Betty Larimer** to be heard at the June 28, 2010 Code Enforcement Board meeting." Notar made the motion, seconded by Clark. Gibbs polled the Board. All were in favor. Motion carried.

**09-117-M – Juan & Carmen Salazar – 588 MLK Jr Ave** – Mrs. Salazar was present. CEO Whaley testified that this is a continuance case and that she and Mrs. Salazar had gone through the application process with an Economic Development grant through the county to try and get the house rehabbed. They needed both her and her husband's signatures, but he no longer lives in the state and has refused to sign the application, so now they are trying others ways to get her some help. Mrs. Salazar testified that she is trying her best. After further discussion about trying to get help from different sources and other alternatives, a motion was made. "I move that the City of Wauchula Code Enforcement Board continue **Case #09-117-M, Juan & Carmen Salazar** to be heard at the October 25, 2010 Code Enforcement Board meeting." Clark made the motion, seconded by Conner. Gibbs polled the Board. All were in favor. Motion carried.

**09-140-M – Stanley Webb – 509 Heard Bridge Rd** – The defendant was not present. CEO Whaley testified that in August of 2009 she had talked to Mr. Webb's son and he had told her that Mr. Webb had had a stroke and was wheelchair and bed bound. The son stated that he is a pipe-liner in Oklahoma and that he would work on the property when he came to Florida, which

he did, but it is back in the same shape that it was before. Whaley stated that she has not heard from anyone since August. “In **Case # 09-140-M**, I move that the City of Wauchula Code Enforcement Board find **Stanley Webb**, guilty of violating **City Code, Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards** and that they correct said violation, all of which is more particularly described in the CEO’s testimony received by the Board as evidence in this hearing, and that said correction be completed on or before May 17, 2010. If the violators do not comply with this order on or before that day, then in that event they are ordered to pay a fine of \$150.00 per day for each and every day the violation continues past the date set for compliance, but not more than 90 days. After three months from the filing of any lien which remains unpaid or is not in compliance, the City of Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien.” Notar made the motion, seconded by Waldron. Gibbs polled the Board. All were in favor. Motion carried.

**09-164-M – Jessica Shoop & Others – 810 Louisiana St** – Joseph Alnendarez, Jessica Shoop’s brother, was present. CEO Bergens testified that Mr. Alnendarez had called and stated that Ms. Shoop had moved and let him know that there are some cases against the property. CEO Bergens and Mr. Alnendarez testified about some of the work that he has done since he has been there. When asked by Notar, Alnendarez testified that it would take about a month maybe. “I move that the City of Wauchula Code Enforcement Board continue **Case #09-164-M, Jessica Shoop & Others** to be heard at the June 28, 2010 Code Enforcement Board meeting.” Clark made the motion, seconded by Notar. Gibbs polled the Board. All were in favor. Motion carried.

**09-164-NA – Jessica Shoop & Others – 810 Louisiana St** – Joseph Alnendarez, Jessica Shoop’s brother, was present. CEO Bergens testified that Mr. Alnendarez had called and stated that Ms. Shoop had moved and let him know that there are some cases against the property. CEO Bergens testified that Mr. Alnendarez stated that he was going to cut down the tree and remove it and take care of the other problems. “I move that the City of Wauchula Code Enforcement Board continue **Case #09-164-NA, Jessica Shoop & Others** to be heard at the June 28, 2010 Code Enforcement Board meeting.” Clark made the motion, seconded by Notar. Gibbs polled the Board. All were in favor. Motion carried.

**10-004-M – HSBC Bank USA Int’l Assn – 702 Louisiana St** – The defendants were not present. CEO Whaley testified that this is a voluntarily walk-away foreclosed home that had not been taken care of and that had a lot maintenance case also that has become compliant and closed. CEO Whaley testified that they had talked to a maintenance man that was hired by the bank and that he had stated that they had been hired only to clean out the house, prep it for sale and take care of the lot. After discussion about the difference between a certificate of sale and a certificate of title showing ownership, a motion was made. “I move that the City of Wauchula Code Enforcement Board continue **Case #10-004-M, HSBC Bank of USA Int’l Assn** to be heard at the May 24, 2010 Code Enforcement Board meeting.” Notar made the motion, seconded by Conner. Gibbs polled the Board. All were in favor. Motion carried.

**10-005-N – John M & Juanita L Jackson – 703 Kentucky St** – This case is compliant.

**10-008-N – Avelino & Balbina Miranda – 309 Illinois Ave** – This case is compliant.

**10-010-L – Samuel L Delatorre – 301 W Eason Dr** – The defendant was present. CEO Whaley testified that Mr. Delatorre called and stated that one of the items written up was a swimming pool for the renter’s children and has been cleaned up. He testified that the dryer has been removed and there are only a few items that need to be removed. Delatorre testified that the other items would be cleaned up within a month. “I move that the City of Wauchula Code

Enforcement Board continue **Case #10-010-L, Samuel L Delatorre** to be heard at the May 24, 2010 Code Enforcement Board meeting.” Clark made the motion, seconded by Conner. Gibbs polled the Board. All were in favor. Motion carried.

**10-011-L – Robert Lee Jr & Hattie P Bryant – 303 W Eason Dr** – Mrs. Bryant was present. CEO Whaley testified that there are only a few items that need to be cleaned up and Mrs. Bryant stated that she would have that taken care of. “I move that the City of Wauchula Code Enforcement Board continue **Case #10-011-L, Robert Lee Jr & Hattie P Bryant** to be heard at the May 24, 2010 Code Enforcement Board meeting.” Clark made the motion, seconded by Notar. Gibbs polled the Board. All were in favor. Motion carried.

**10-013-L – Jerry Rich – 307 W Eason Dr** - Mr. Rich was present. CEO Whaley testified that there were some computer items at the back of the fence and Mr. Rich testified that that is not his property. CEO Whaley apologized to Mr. Rich and testified that the case is compliant since that is the neighbors’ property and that she would contact them.

**10-013-N – Jerry Rich – 307 W Eason Dr** – This case is compliant.

#### **OLD/NEW Business**

CEO Bergens gave an update on Pedro & Teresa Granda’s case. The old house had been torn down, a new house built and he had been issued a Certificate of Occupancy by the county on April 19th. She stated that the trailer was to be removed by July 19<sup>th</sup>. There was discussion about the results that would come about if the trailer isn’t removed by the time stated in the agreement between the Grandas and the City.

CEO Whaley asked Attorney Ables to clarify what could be done about a case that had liens filed on it several years ago and has now lost homestead exemption status because of the owners not living there. Attorney Ables stated that CEO Whaley needed to bring him the information and he could start procedures.

Being no further business, the meeting was adjourned.

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Susie Gibbs, Secretary/Clerk