

**Wauchula Code Enforcement Board**  
**Meeting Minutes**  
**Monday, July 27, 2009**

The Wauchula Code Enforcement Board met Monday, July 27, 2009 at 5:30 P.M.

After the Pledge of Allegiance, Secretary Gibbs called roll with the following members present: Chairman Gerald Waldron, Sue Connor, John Woodburn, and Frank Notar. Vice-Chairman Dewey Cowart was absent. Waldron declared a quorum. Also present were Attorney Jane Hancock, Code Enforcement Officers Kathleen Whaley and Raina H Bergens.

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

Woodburn made the motion, seconded by Notar to accept the minutes from the June 22, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**REQUEST FOR FINE REMOVAL**

Code Enforcement Officer Kathy Whaley explained that Case #08-058 for 908 Seminole Street had fines assessed before the new owners had bought the property. They, Mr. & Mrs. Ortiz, were present tonight to request that the fines be removed against the property. Whaley explained that the Ortiz's had completed everything that needed to be done and that the Code Enforcement Office had no problems getting them to bring the house and property into compliance. Woodburn made the motion, seconded by Conner to remove all fines from this case. Gibbs polled the Board. All were in favor. Motion carried.

**NEW CASES**

**1. 09-117-L, NA 588 M L K Jr Ave Juan Manuel & Carmen Salazar**

Mrs. Carmen Salazar was present to represent this case. Woodburn made the motion, seconded by Notar that the cases be continued, and be heard at the August 24, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**2. 09-101-M 312 Georgia Street Angela Ybarra**

No one was present to represent this case. Notar made the motion, seconded by Conner to find Angela Ybarra guilty of violating City Code Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards, and that she correct said violation(s), all of which is more particularly described in the CEO's testimony received by the Board as evidence in this hearing, and that said corrections be completed on or before July 31, 2009, and if the violator(s) do not comply with this order on or before that day, then in that event they are ordered to pay a fine of \$250.00 per day for each and every day the violation continued 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 Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien. Gibbs polled the Board. All were in favor. Motion carried.

**3. 09-102-M, NA 222 Short Street Gregoria & Julia Mejia**

The Mejia's had called to let the Code Enforcement Officers know that they would be out of the state working at the time of the meeting. Woodburn made the motion, seconded by Notar that the cases be continued and be heard at the October 26, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**4. 09-107-M 218 N 2<sup>nd</sup> Avenue Pedro & Teresa Granda**

Pedro Granda was present to represent this case. Woodburn made the motion, seconded by Notar that the case be continued and be heard at the September 28, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**5. 09-087-M 210 N Florida Avenue Heirs of Edmund Makowski**

No one was present to represent this case. Woodburn made the motion, seconded by Conner to find the Heirs of Edmund Makowski guilty of violating City Code Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards, and that they correct said violation(s), all of which is more particularly described in the CEO's testimony received by the Board as evidence in this hearing, and that said corrections be completed on or before August 24, 2009, and if the violator(s) do not comply with this order on or before that day, then in that event they are ordered to pay a fine of \$250.00 per day for each and every day the violation continued past the date set for compliance, but not more than 60 days. After three months from the filing of any lien which remains unpaid or is not in compliance, the Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien. Gibbs polled the Board. Conner, Waldron and Woodburn were in favor of the motion. Notar was against the motion. Motion carried.

**6. 09-116-M 1168 Downing Circle Haysar Ahmad & Rafik Ahmad Abdelhalin**

No one was present to represent this case. Notar made the motion, seconded by Conner to find the above guilty of violating City Code Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards, and that they correct said violation(s), all of which is more particularly described in the CEO's testimony received by the Board as evidence in this hearing, and that said corrections be completed on or before August 31, 2009, and if the violator(s) 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 continued 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 Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien. Gibbs polled the Board. All were in favor. Motion carried.

**7. 09-114-M 920 Seminole Street Paul Schroyer Jr**

Mr. Schroyer had come into the office and let the Code Enforcement Officers know what he had done to become compliant and what more needed to be done. Woodburn made the motion, seconded by Conner that the case be continued and be heard at the August 24, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**CASES PREVIOUSLY GRANTED EXTENSIONS**

**8. 09-044-M 612-614-S 7<sup>th</sup> Avenue Carol M Knight**

Mrs. Knight and her grandson, Heath, were present to represent this case. Notar made the motion, seconded by Woodburn that the case be continued and be heard at the August 24, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**9. 09-083-L Vacant lot - corner of N 8<sup>th</sup> Avenue & Louisiana Street Lexan Investments LLC**

No one was present to represent this case. Notar made the motion, seconded by Conner to find Lexan Investments LLC guilty of violating Chapter 11, Article II, Lot Maintenance, and that they correct said violation(s), all of which is more particularly described in the CEO's testimony received by the Board as evidence in this hearing, and that said corrections be completed on or before July 31, 2009, and if the violator(s) do not comply with this order on or before that day, then in that event they are ordered to pay a fine of \$200.00 per day for each and every day the violation continued 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 Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien. Gibbs polled the Board. All were in favor. Motion carried.

**10. 06-002-M 209 E Main Street Victory Investment Services LLC**

Gary Delatorre was present to represent this case. Woodburn made the motion, seconded by Notar that the case be continued and be heard at the October 26, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**11. 08-184-M 620 Green Street Roxanne Rodriquez**

No one was present to represent this case. Notar made the motion, seconded by Conner to find Roxanne Rodriquez guilty of violating Chapter 5, Article IV, Minimum Exterior Property Maintenance Standards, and that she correct said violation(s), all of which is more particularly described in the CEO's testimony received by the Board as evidence in this hearing, and that said corrections be completed on or before August 15, 2009, and if the violator(s) do not comply with this order on or before that day, then in that event they are ordered to pay a fine of \$200.00 per day for each and every day the violation continued 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 Wauchula Code Enforcement Board authorizes the City Attorney to foreclose on this lien. Gibbs polled the Board. All were in favor. Motion carried.

**12. 09-009-M 611 Alabama Street Frances I Smith**

Code Enforcement Officer Whaley explained that the Hardee County Community Development is going to demolish and build a house for Mrs. Smith. Conner made the motion, seconded by Woodburn that the case be continued and be heard at the September 29, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**13. 09-034-M 310 S 10<sup>th</sup> Avenue Roldolfo Lopez**

Mr. Lopez, with Mr. Raul Juarez as his interpretor, was present to represent this case. Notar made the motion, seconded by Conner that the case be continued and be heard at the October 26, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**14. 09-034-M – This case was compliant and did not have to be presented to the Board.**

**15. 09-217-M, NA 111 N 10<sup>th</sup> Ave Charles & Mary McClenithan**

Code Enforcement Officer Whaley explained that Mr. McClenithan was sick and could not attend the meeting. Notar made the motion, seconded by Woodburn that the cases be continued and be heard at the September 28, 2009 meeting. Gibbs polled the Board. All were in favor. Motion carried.

**NEED FINES CAPPED**

**16. 09-044-NA, L 612-614 S 7<sup>th</sup> Avenue Carol M Knight**

Notar made the motion, seconded by Woodburn to cap this case at 90 days.

**17. 09-066-N 311 N 9<sup>th</sup> Avenue Pedro Juan Pena**

Notar made the motion, seconded by Conner to not cap this case.

Being no further business, the meeting was adjourned.

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Susie Gibbs, Code Enforcement Secretary