City of Palm Bay, Florida
CODE ENFORCEMENT BOARD
Regular Meeting No. 2013-01

Held on the 9th day of January 2013 at City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law and is on file in the Code Compliance Office, 120 Malabar Rd SE, Suite 201, Palm Bay, Florida.

Vice Chairperson White called the meeting to order at approximately 1:10 PM.

ROLL CALL:

CHAIRPERSON:	James Ritter	Absent (Excused)
VICE CHAIRPERSON:	Diane White	Present
MEMBER:	Jimmie Glover	Present
MEMBER:	George Williams	Absent (Excused)
MEMBER:	Orlando Gatell	Present
MEMBER:	Jeffrey Bailey	Present
MEMBER:	Victor Silva-Martinez	Present
STAFF:	Morris Richardson	Present
STAFF:	Nick Tsamoutales	Present

ADOPTION OF MINUTES:

1. CEB Regular No. 2012-12 December 12, 2012

Motion by Mr. Glover, seconded by Mr. Bailey, to accept the minutes as written. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

SWEARING IN:

1. All respondents, complainants, and City staff required to testify were sworn in.

REPORTS:

1. Authorization to Impose Fines

The City requested the Board find all respondents listed in the Authorization to Impose Fines Report in non-compliance for the period stated in the report. Inspections were performed on December 31, 2012, and the properties still remained in non-compliance.

CEB #16132-12	Brian H Weingle	$ 50.00 per day
CEB #16133-12	Tracie Shelton	$ 50.00 per day
CEB #16140-12	Vernon/Marla Davis IV	$ 50.00 per day
CEB #16141-12	Denise Carter	$ 50.00 per day

CEB #16143-12	Frederick/Natasha Douglas	$ 50.00 per day
CEB #16144-12	Roy J Myers	$ 50.00 per day
CEB #16145-12	Erlande Bien-Aime/Fenjy Duval	$ 50.00 per day
CEB #16149-12	Paul/Kristina Smith	$ 50.00 per day
CEB #16150-12	Rosa L Santiago	$ 50.00 per day

Motion made by Mr. Glover, seconded by Mr. Bailey, to accept and approve the Authorization to Impose Fines Report, to find the respondents in non-compliance, and to authorize the fines as stated in the report excluding any cases that were heard individually before the Board and given additional time to come into compliance. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell; aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

HEARINGS:

1. CEB #16185-12 CITY OF PALM BAY VS RICHARD/GAYLE DE BLASIO
LOT 15, BLK 600

CEB SECTY: This case involved a violation of City Code, Section(s) 73.21(B), Code of Ordinances of the City of Palm Bay for property located at Lot 15, Blk 600, Subdivision EY, Township 28, Range 36, Section 35, Brevard County, Florida.

CODE ENFORCEMENT SUPERVISOR; WILLIAM MARTINEZ on behalf of Arlene Reckard: The City stated there was a violation of the City Ordinance at 817 Manhattan St NW in storage of a junk or discarded vehicle(s); to wit: motor home and van, no tag. The Statement of Violation, Notice of Hearing, certified return receipt and photographs of the violations were submitted to the Board as evidence.

RESPONDENT; RICHARD DE BLASIO: Mr. De Blasio requested an extension in order to have the motor home and van moved and the violation corrected.

Motion by Mr. Glover, seconded by Mr. Gatell, to find the respondent in violation based on the findings of fact, Section(s) 73.21(B). The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

Motion by Mr. Glover, seconded by Mr. Gatell, to set a compliance date of January 18, 2013, or that a fine of $50.00 be imposed for each and every day the violations continued. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

The following cases listed were heard as uncontested cases. These cases had not come into compliance and the respondents were not present to be heard.

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Board find the respondents in violation of the violations not in

compliance and that the Code Board set a reasonable time for compliance and a fine per day to be imposed if the respondents fail to come into compliance by the time set.

CEB #16176-13 Etony Eliphar/Green Tree

CEB #16178-13 Residential Credit Solutions

CEB #16179-13 Stephen C Chasse

CEB #16181-13 Marek/Deborah Olesiak

CEB #16184-13 Sharon/John Letourneau Jr/Bank of New York Mellon

CEB #16186-13 Bruce/Marilyn Shirkey/Deutsche Bank Nat'l Trust Co

CEB #16187-13 Summer Bowin

CEB #16188-13 Teresa A Metzger

CEB #16189-13 Leslie V Spark/Chase Home Finance

CEB #16190-13 Cynthia A Ehrhart/Western Estate Services Inc

Motion by Ms. White, seconded by Mr. Glover, to find the cases listed by the Board Secretary in violation based on the findings of fact entered into evidence. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

Motion by Ms. White, seconded by Mr. Glover, to give the respondents in these cases a compliance date of January 24, 2013 or that a fine of $50.00 be imposed for every case for each and every day the violations continue. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

The following case(s) were withdrawn due to voluntary compliance:

CEB #16177-13 Ernest L Naters

CEB #16180-13 Deutsche Bank National Trust Co

CEB #16182-13 Kenneth & Teresa Blackmore

CEB #16183-13 Lori J Byrd

Motion by Ms. White, seconded by Mr. Glover, to postpone the elections for the Board Members positions until the February meeting due to Mr. Ritter and Mr. Williams being absent from the January meeting. The motion carried with the members voting as follows: Ms. White, aye; Mr. Glover, aye; Mr. Gatell, aye; Mr. Bailey, aye; Mr. Silva-Martinez, aye.

ADJOURNMENT:

The meeting adjourned at approximately 1:20 PM.

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Diane E White, Vice Chairperson

ATTEST:

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Valerie Carter, Board Secretary