

CITY OF KEY COLONY BEACH, FLORIDA
CODE ENFORCEMENT BOARD
July 8, 2015 9:30 a.m., City Hall Conference Room
MINUTES

1. **Call to Order, Roll Call**

The Code Enforcement Board meeting was called to order by Chair Tom Tucker at 9:30 a.m. *present:* Vice-Chair Tom Moore, John Dalton and Larry Wagner. *Excused:* Anne O'Bannon, Emilie Burroughs; Rusty Stevens and Tucker DeGraw. *Also Present:* Code Enforcement Officer Edward Borysiewicz, Code Officer Steve Britske, Chief Kris DiGiovanni, City Attorney Tom Wright, and City Clerk Cathy Henninger. Public: 1

2. **Approval of Minutes of April 11, 2015**

Motion: Made by John Dalton, seconded by Tom Moore to approve the minutes as written.

On the Motion: Approved by voice vote.

3. **Swearing in of witnesses to testify**–

Ed Borysiewicz was sworn in to testify.

4. **Review of Code Violations**

A. Prestige Home Builders- Earl Velger 320 5th Street Code Violations LDR 101-11 Converting a single family home to a duplex in a single zone; City Code Chapter 9 Sec 1-28 advertising and showing property to rent without a license.; City code Chapter 6 Section 6 working without a permit. All citations were issued 2/6/15. Each carries a daily fine of \$500.00 each. The citation for working without a license carries a triple fee. Mr. Velger met with Mayor Ellis in April 2015 and did not come into an agreement or compliance. Tom Wright stated that Mr. Velger has been in contact with him and has stated he is working on getting clear title to the property prior to taking any action. Mr. Velger is to pay the back utilities in full (\$7500.00) prior to any further negotiations. Attorney Wright stated that if the utility bill is not paid the City should consider foreclosure of the property

Motion: Made by Larry Wagner, seconded by Tom Moore to foreclose on the property at 320 5th Street if the payment of \$7500.00 is not received by the City within the next 7 business days.

On the Motion: Unanimous: No. The Board agreed to table this issue and the foreclosure on the liens until the August Code Board meeting to allow time for the City to notify the Velger Family of the intent to foreclose on the liens that are in place.

B. Timothy & Susan Williams – 48 Sadowski Causeway-failure to maintain the property, landscape maintenance completed by City hired landscaper to maintain the property. The City has received information that Wachovia Bank, 7105 Corporate Drive, Plano Texas, 75024 is now the owner of the property at 48 Sadowski Causeway. The City has invoiced the Bank and their agent for full payment of the landscape maintenance billing to maintain the property. It is unknown at this time if the property will be up for sale or a time frame for further action.

C. Elsa Valle- 681 9th Street, Construction Debris citations remain unpaid from 2/24-3/6/15. Citations were for 250.00 each. The notice of amount due has been emailed to Ms. Valle and she has been noticed by phone. The Board discussed filing a lien for failure to pay the citations.

Motion: Made by Tom Tucker, seconded by John Dalton to file a lien for the unpaid citations with the administrative fee included.

On the Motion: Unanimous approval.

5. New Business –

A. Ronald & Joely Lackey 701 11th Street –Vacation Rental without a license. Confirmed from March 2014 forward. The Board voted as to the guilt of the vacation rental without a valid license. Tom Tucker admitted into evidence the website verification of the rental advertising as well as the comments from former renters going back to March of 2014.

Motion: Made by Tom Tucker, seconded by John Dalton to find the Lackey's guilty of renting their property without a valid license.

On the Motion: Unanimous approval.

The Board then discussed the appropriate fine and took a vote.

Motion: Made by Tom Tucker, seconded by Larry Wagner to fine the Lackeys \$500.00 per day from the date of the citation ongoing until full compliance is reached and the administrative fee will also be included.

On the Motion: Unanimous approval.

6. Any Other Business – Chairman Tucker suggested a flier or some notification to residents of the increase compliance with regard to trash can compliance. It was mentioned that landscapers can be addressed directly when the common thread appears to be their schedule and the lack of consideration of the compliance days and times for yard waste. The Code Board stated that consistency is important in the code enforcement process.

6. Adjourn: Chairman Tucker called for an adjournment. The hearing adjourned at 10:35 a.m.



Cathy Henninger, City Clerk

Note: A mechanical recording has been made of the meeting of which these minutes are a part, and a copy is on file in the office of the City Clerk, as a public record.