

# MINUTES

## CODE ENFORCEMENT BOARD KEY COLONY BEACH AUGUST 9, 2017, 9:30 a.m. City Hall Conference Room

### **Call to Order, Roll Call:**

The Code Enforcement Board meeting was called to order by Vice Chair Tom Moore at 9:30 a.m. *Present:* Vice Chair Tom Moore, John Dalton, Larry Wagner, Emilie Burroughs, Tucker DeGraw and Joey Raspe. *Also Present:* Code Enforcement Officer Edward Borysiewicz, Attorney Tom Wright, Police Chief Kris DiGiovanni and City Clerk Kathryn McCullough. *Excused:* Chairman Tom Tucker and Alternate Rusty Stevens

### **Approval of Minutes**

**MOTION:** Made by Larry Wagner, seconded by Emilie Burroughs, to approve the minutes of May 14, 2017 as written.

**ON THE MOTION:** Unanimous voice vote approval.

### **Swear in Witnesses to Testify**

Building Official Borysiewicz, Michael Keith and Steven Werster were sworn in by City Attorney Wright

### **Case for Hearing**

1. 201 E. Ocean Drive, Unit #3-201 Owner: Michael Keith City Ordinance Chapter 6 Building, Article II, Dangerous Structures, Section 32 (b) Unfit Dwelling; Section 34 (e) Decay, unsanitary conditions, or disrepair, etal; and Section 34 (g) Defects therein increasing the hazards of fire, accident or other calamities.

Building Official Ed Borysiewicz stated Mr. Keith was found in violation of the above referenced City codes and fined \$150.00 per day, beginning May 24<sup>th</sup> 2017 and continuing until the unit is brought into compliance. The Code Board stated the fines would be waived if the unit is found to be in compliance within 60 days. Mr. Borysiewicz reported he spoke to Mr. Keith on the 62<sup>nd</sup> day and was told not to bother coming over as he has not yet come into compliance.

Attorney Wright said a lien can be placed on the property in the amount of \$11,500.00, representing the fine from May 24, 2017 through August 9' 2017, and for the fine to continue at \$150.00 per day until Mr. Keith comes into compliance.

Building Official Borysiewicz said he has spoken to City Administrator Chris Moonis and it was decided the violation will be reported to the Health Department and to the Fire Marshall.

Mr. Keith requested 21 more days to come into compliance with 3 inspections during this time to take place on August 17th, 24th and 31<sup>st</sup>. He stated the elevators have been down for 3 weeks at Casa Clara.

Mr. Steven Werster, Casa Clara Condo Association, President verified the elevators have been down. He stated the elevator repairs should be completed in approximately 2 weeks. Mr. Werster reported he tried to resolve this situation with Mr. Keith at the condo level in November 2016 before bringing it to the City on February 3, 2017.

Board Member Raspe asked what is going to change with Mr. Keith going forward. Mr. Keith said he and his wife will probably move into an assisted living facility in the future. Right now he would consider hiring a housekeeper to help with the cleaning.

Board Member Wagner is concerned the violation represents a fire hazard for the entire building.

Board Member DeGraw stated it does not appear Mr. Keith is capable of bringing the unit into compliance.

Board Member Burroughs stated it is apparent Mr. Keith needs assistance. She thought he was offered assistance at the May 24<sup>th</sup> meeting. Mr. Borysiewicz said that is correct, however, no calls were received from Mr. Keith requesting assistance. Mr. Keith said the reason he didn't ask for help is because you just can't throw everything out. There are personal things that can't be thrown out.

Building Official Borysiewicz said he knows Mr. Keith has good intentions of bringing the property into compliance but is having difficulty doing so. Mr. Borysiewicz recommended leaving the fine in place. He stated Mr. Keith is going to need assistance to come into compliance. If this occurs the Code Board can readdress the fine.

Vice Chair Moore and Attorney Wright said the issue for this meeting is to determine whether Mr. Keith has come into compliance within the 60 days given him.

**MOTION:** Made by Emilie Burroughs, seconded by Tucker DeGraw to assess a fine of \$11,500.00 and for the fine to continue at \$150.00 per day until Mr. Keith brings his unit into compliance.

**ON THE MOTION:** Roll Call Vote. Unanimous Approval.

**Discussion Items:** None.

The meeting adjourned at 10:40 a.m.

Respectfully submitted,



Office Assistant