

MINUTES
CITY OF KEY COLONY BEACH
CODE ENFORCEMENT BOARD
February 12, 2020 9:30 a.m. Marble Hall

Call to Order, Pledge of Allegiance: The regular meeting of the Key Colony Beach Code Board was called to order by Chair Joey Raspe at 9:30 a.m. followed by the Pledge of Allegiance.

Roll Call: Present: Chairperson Joey Raspe, John Dalton, Larry Wagner, George Lancaster, Cheryl Boehm, Gary Furtak, Kathryn McCullough. Also Present: City Administrator Moonis, City Clerk Rebecca Todd, City Attorney Thomas Wright, Building Official Gerard Roussin, Building Inspector Greg Lawton, and Police Chief DiGiovanni, Executive Assistant Saara Staten.

Election: Kathryn McCullough nominated Joey Raspe as Chairman, seconded by Gary Furtak. Kathryn McCullough nominated John Dalton as Vice-Chair, seconded by Joey Raspe.

Approval of Minutes:

MOTION: Motion made by Gary Furtak, seconded by Larry Wagner, to approve the minutes of July 10, 2019 as written.

ON THE MOTION: Roll Call Vote. Unanimous.

Swearing in of Witnesses to Testify: All persons who may give testimony were sworn in by City Attorney Wright.

Cases for Hearing:

1. 160 10th Street – Owner(s): Teresa B. Ulrich – City Ordinance Chapter 6, Section 56, Building and Property Maintenance

Gary Furtak recused himself. Building Official Roussin stated he had communications with Ms. Ulrich in November of a complaint about her property and she informed Building Official Roussin that she will be in town the first week of January to come into compliance with any issues. A certified letter was sent on November 20th and was returned about two weeks later due to an incorrect address. Later in January, another complaint was received that the issues had not been addressed. A citation of \$50 per day was issued. Building Official Roussin had communications with Ms. Ulrich yesterday, February 11th to which she informed him she will not be present at the meeting. Another certified letter was sent on February 4th that was accepted and signed. Building Inspector Lawton visited her home this morning and the coconut palms issue has been addressed. There is still a remaining issue with the soffit of the house. Building Official Roussin was informed this morning of another issue with the dock that he intends on inspecting later in the afternoon. The property owner is currently not under compliance.

Witness Gary Furtak, 150 10th Street, stated the issues began in May when her trees were littering on his property. Mr. Furtak reported the issue to former Building Official Ed Borysiewicz who called Ms. Ulrich on September 27th and informed her she had to fix her soffit, palm trees, roof, and dock issues. This property will be set for the next Code Board Meeting to update the Committee whether the property owner has come into compliance. Building Official Roussin will send a certified notification letter to Ms. Ulrich explaining the finding by the board today.

MOTION: Motion made by Larry Wagner, seconded by Cheryl Boehm that the property is in violation of the City's Ordinances.

ON THE MOTION: Roll Call Vote. Unanimous.

MOTION: Motion made by Kathryn McCullough, seconded by John Dalton that the property will be fined \$100 per day with 30 days to comply (retroactive to the date of this hearing).

ON THE MOTION: Roll Call Vote. Unanimous.

2. 421 10th Street – Owner(s): Tammy K. Macomber – City Ordinance Chapter 6, Section 56, Building and Property Maintenance

Building Official Roussin stated numerous complaints were received for the property being overgrown. Building Official Roussin and Building Inspector Lawton went to the property and confirmed it was overgrown. A certified letter was sent to Ms. Macomber. The signature card has not been returned. Ms. Macomber had telephone communications with City Clerk Todd and stated she did not know she was in violation. As of yesterday, February 11th, the house is under compliance. Ms. Macomber is currently looking for a landscaper to maintain her Key Colony Beach property. The City dismissed the case due to Ms. Macomber's compliance.

3. 790 10th Street – Owner(s): Welker Betty Pangrace Trustee - City Ordinance Chapter 6, Section 56, Building and Property Maintenance

Building Official Roussin stated in December he and Building Inspector Greg Lawton did a water code enforcement search through the City and found the dock of this home to be non-compliant. The dock was falling into the water with electrical lines hanging which aren't thought to be live but still dangerous. The owner sent payment of \$100 for the fine on the property but did not repair the dock. We are currently working with the family of this property to work out any issues.

Adam Pangrace, Representative of Pangrace Trust/Son to Betty Pangrace, stated his mother passed away in October. He is the successor trustee which now gives him the power to fix the dock. Mr. Pangrace is beginning the process to replace/repair dock.

MOTION: Motion made by John Dalton, seconded by Gary Furtak, to continue until next meeting.

ON THE MOTION: Roll Call Vote. Unanimous

Discussion Items: Updated Reports.

Building Official Roussin stated Bruce Schmitt, 820 10th Street, was out of the country when the notice of violation was sent to his home. Mr. Schmitt has visited Building Official Roussin and informed him he is in contact with Marathon Seawall & Docks to address his dock issue. By the end of this month, he should have a decision on whether he is going to demolish or repair his property. Mr. Schmitt is giving monthly updates on his dock repair process. Mr. Schmitt also visited City Administrator Moonis to discuss his plan to come into compliance as quickly as possible rather than discussing fines.

Building Official Roussin reported 1240 Corey Drive was cited for property not properly maintained due to the sprinkler system above ground and the electrical was broken. Since the citation the property owner has come into complete compliance and his fines have been waived.

220 13th Street was cited for the yard not being properly maintained because of two dead royal palm trees that had to be removed. Since the issuance of the citation the property owner has come into complete compliance and his fines have been waived.

381 5th Street was cited for yard and property not properly maintained. Property owner has not come into compliance yet. Building Official Roussin was informed the owner has deceased, so Roussin will be contacting his chosen property maintenance individuals.

440 5th Street was cited for property not being properly maintained because of dead palm trees in the rear yard. Since the issuance of the citation the property owner has come into complete compliance and his fines have been waived.

880 Shelter Bay Dr. was city for yard not being properly maintained because of landscaping debris. Since the issuance of the citation the property owner has come into complete compliance and his fines have been waived.

190 8th Street was cited for yard not being properly maintained. Since the issuance of the citation the property owner paid the \$50 fine and has come into complete compliance after paying fine.

180 8th Street was cited for yard not being properly maintained. Since the issuance of the citation the property owner has paid the \$50 fine and has come into complete compliance after paying fine.

650 10th Street was cited for yard not being properly maintained due to a dead royal palm tree in front yard. Since the issuance of the citation the property owner has come into complete compliance and his fines have been waived.

260 11th Street was cited for yard not being properly maintained due to dog feces all over front yard. Since the issuance of the citation the property owner paid the \$60 fine and has come into complete compliance after paying fine.

Building Official Roussin concluded on Monday, February 3rd, himself and Building Inspector Greg Lawton performed a code enforcement tour throughout the City and found 0 properties out of compliance. City Administrator Moonis stated the 741 9th Street case was settled for \$15,000 and the 285 14th Street case was settled for \$14,460 both of which the City has received. Part of that settlement included the properties to come into compliance. There is a preliminary settlement being discussed for 480-490 9th Street that is likened to the first two settlement amounts. 640 11th Street has been issued a stop work order and a the owners have a meeting scheduled with the Building Official this afternoon to discuss the issues.

The meeting adjourned at 10:35 a.m.

Respectfully submitted,

Rebecca Todd
City Clerk