

**CODE ENFORCEMENT BOARD
REGULAR MEETING
April 9, 2018**

The City of Lake Wales Code Enforcement Board held a regular meeting on April 9, 2018 at 5:00 p.m. in the City Commission Chamber located in the City Administration Building.

ATTENDANCE

**Code Enforcement Board Members
(Shaded area indicates absence):**

Chair Melissa Anne Konkol	Vice-Chair Murray Zacharia	Ralph Marino	Wilena Vreeland	Angella Knapstein	Ronald Wheat	VACANT
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Albert (Chuck) Galloway, Jr. – City Attorney
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City Staff: Planning and Development Department
Kathy Bangley – Planning and Development Director
Brian Nadeau – Code Compliance Officer
Jose Lozada – Code Compliance Officer
Fany Lozano – Recording Secretary

- 1) **CALL TO ORDER** – Meeting called to order at 5:07 pm

- 2) **ROLL CALL** – Ralph Marino was not in attendance. A quorum was present

- 3) **APPROVAL OF MINUTES** – Regular Meeting – February 12, 2017

Murray Zacharia made a motion to approve the minutes. Ronald Wheat seconded the motion. The motion was approved unanimously.

- 4) **ADMINISTER OATH/MISCELLANEOUS ITEMS**

Board secretary administered the oath to staff and respondents.

5) **CASES/REDUCTION/RELEASE OF LIENS**

CASE #CEB 201700422

CITY OF LAKE WALES VS CARDIFF HOWELL AKA SEMINOLE HOTEL
207 N 1ST STREET (PID: 27-30-02-901000-001010)

Officer Lozada reviewed the case and its history as of the last Code Board Hearing held on December 11, 2017. Officer Lozada notified the Board that a set of plans were submitted today, but the plans have not been reviewed by the Building Official.

Staff is requesting from the following from the Board;

-Requesting for a DATE CERTAIN deadline no more than 30 days for plans to be submitted to the Building official by a Florida Licensed Design Professional that include and address the following issues:

- Life safety
- Structural
- Electrical
- Plumbing
- Mechanical
- Roofing
- All other required repairs

-Requesting that the owner specify the qualified use of the property. (ie: Hotel or apartments), and plans must meet all specified use requirements.

-Requesting that failure to submit all required information by the Date certain, the Board approve to start the legal process towards demolition.

Property Owner: Cardiff Howell of 5406 Idlewild Ct Unit 204, Orlando, FL 32808 was present and addressed the Board. He stated that he did not know what the Code Compliance Division is asking him to do. Ms. Konkol responded that she believes that the Code Compliance Officers have been pretty clear about what they need for him to do. Mr. Howell stated that he submitted plans today. Ms. Konkol asked Mr. Howell if the plans address every one of the items being requested by staff? Mr. Howell stated that the items are supposed to be addressed in the plans. He stated that they have already addressed the electrical part of the violations, and that the electrical work was completed by a licensed electrician. Ms. Konkol told Mr. Howell that if he has submitted the proper plans then he does not have to worry about his property being demolished. Mr. Howell stated that he is worried about the demolition because he has a million dollars invested in the property. Mr. Galloway clarified that if the plans meet the specifications, then a permit to accomplish the plans will be issued and that will allow for more time before further action is taken, and that is the reason why we are here today, to address the compliance issues. Officer Nadeau addressed the Board and acknowledged that a set of plans were received by the building department today, but the Building Official has not had a chance to review those plans. Officer Nadeau explained the process and timeframe it takes to get the demolition started, and would like for it to be stated on the record that the Code Compliance Division can proceed with the demolition process if at any time the property owner stops working towards compliance. Ms. Vreeland asked if meanwhile the fines will continue to accrue? Officer Nadeau responded "yes". Mr. Zacharia restated staff recommendations and there was open discussion about the thirty day deadline which

was agreed upon to be May 9th, 2018. Mr. Zacharia motioned to accept staff recommendations with the date certain of May 9th, 2018. Mr. Howell asked when will the daily fine stop? Ms. Konkol responded the fines will stop when the property is in compliance. Mr. Howell asked that if at time of compliance he would have occupancy? Officer Nadeau answered that occupancy is achieved at time of compliance after inspection by the Code Compliance Division. Mr. Galloway also stated that all the work has to be accomplished before occupancy can be established. Mr. Howell asked if the work can be done in sections? Ms. Konkol restated that the building has to be in compliance for the fines to stop and that the Code Officers and the Building Official will be the ones to determine if the building is in compliance. Mr. Zacharia asked if a certificate of occupancy can be issued with an outstanding administrative lien? Mr. Galloway responded "yes". Mr. Howell asked if the lien can be foreclosed on? Mr. Galloway responded that the City can foreclose on the lien if it chose to do so. Mr. Galloway also clarified that if Mr. Howell brings the property into compliance, he can request for a reduction of the fine as the Code Board has historically had the authority to reduce the administrative fines. Ms. Konkol restated the motion on the floor to accept staff recommendations with a date certain of May 9th, 2018. Mr. Wheat seconded the motion. All voted in favor, the motion passed unanimously.

- 6) **UNFINISHED BUSINESS**
NONE
- 7) **REQUESTS FOR FORECLOSURE**
NONE
- 8) **REQUESTS FOR DEMOLITION AUTHORIZATION**
NONE
- 9) **COMMUNICATIONS AND PETITIONS**
NONE

OTHER BUSINESS

Board Secretary Fany Lozano reminded the Board of the Board Member terms due to expire on July 1, 2018. The member terms that will expire on that date are for Ms. Konkol, Ms. Vreeland and Mr. Wheat. The City Clerk will contact them in May to discuss the renewal of terms.

With no further business to discuss, the meeting was then adjourned.



Melissa Konkol, Chairwoman

Attest:



Recording Secretary