

**CODE ENFORCEMENT BOARD
REGULAR MEETING
NOVEMBER 9TH, 2020**

The City of Lake Wales Code Enforcement Board held a hybrid virtual and in person meeting on NOVEMBER 9TH, 2020 at 5:30 p.m. in the City Commission Chamber located in the City Administration Building.

ATTENDANCE

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

Chairman Ralph Marino	Vice-Chair Wilena Vreeland	Sara Jones	Dwight Wilson	Rodney Cannon	Bruce Austell	Julia Paul
--------------------------	----------------------------------	---------------	------------------	------------------	------------------	---------------

Albert (Chuck) Galloway, Jr. – City Attorney Appeared Remotely - Virtually

City Staff: Development Services Department
Jose Lozada– Code Compliance Officer Fany Lozano – Recording Secretary Christina Adams – Administrative Assistant Mark J. Bennett – Development Services Director

City Staff: Information Technology Department
Kevin Sunderland – IT Manager Daniel Gonzalez– IT Technician II Johnny Ramirez – IT Technician I

- 1) **CALL TO ORDER** – Meeting called to order at 5:30 pm
- 2) **ROLL CALL** – A quorum was present. All members present attended in person.
- 3) **COVID STATEMENT/HYBRID MEETINGS** – Albert C. Galloway

Mr. Marino stated for the record that there was no virtual statement to be made as the order for virtual meeting was not extended.

Ms. Lozano stated for the record:

Staff would like for the Board Members to know that although some businesses have been affected by the Pandemic, The Development Services department which houses the Building and Permitting Division, The Planning and Zoning Division and the Code

Compliance Division has remained open, and they have continued to accept permits via email and on an appointment basis even while the building continues to be closed to the public. Also, the recording office in Bartow has been accepting items for recording via regular mail. Business for the Development Services Department has not been interrupted.

4) **APPROVAL OF MINUTES – Regular Meeting – October 12th, 2020**

Ms. Paul made a motion to approve the minutes. Mr. Jones seconded the motion. All voted in favor. The motion passed unanimously.

5) **ADMINISTER OATH/MISCELLANEOUS ITEMS**

5.1 Administer Oath:

Board secretary administered the oath to staff and respondents.

6) **CASE(s) New Business**

6.1 Case # 2012-00005

City of Lake Wales VS Sara E. Jones & Donald J. Bush

0 B Street

PID: 27-29-35-879000-002080

Violation(s): N/A Request for Reduction

Sara E. Jones, Property Owner/Respondent was present to provide testimony.

Ms. Lozano administered the Oath to all persons above who provided testimony.

Code Compliance Officer Jose Lozada presented the case and its history. He stated that this is a request to reduce the attached administrative fine on the premises and that the premises is now in compliance. He stated that staff recommends that the Board approve a reduction of the administrative fine from \$460,750 to \$1,250.

Mr. Marino stated for the record the following statement: "Let the record show that Ms. Jones is not acting as a board member at this time. Ms. Jones is a respondent before the Board."

Ms. Jones was present and provided testimony for the Board. Ms. Jones stated that she originally bought this property after the previous owner was seeking to give the property away to the City. She stated that her initial contact with the previous property owner was to see if the property owner would be interested in selling the property to the benefit of the B Street Center, but at the time the president for the organization resigned and they could not obtain a vote to purchase the property. She stated that the previous property owner approached her and asked her to buy the property. Ms. Jones stated she paid the previous property owner what she paid for the property. Ms. Jones stated that she is the President of the Lincoln CDC, which is an organization organized to re-develop the northwest neighborhood. She stated that her intent with the property is to build and duplex but that she needs financing to accomplish this. She asked the Board to reduce the fine to zero so that the lien can be removed from the premises, and she could proceed with obtaining financing to get the project done. Ms. Vreeland asked if property is in compliance. Mr. Lozada responded yes. Mr. Wilson asked if this is vacant lot. Ms. Jones

responded that yes it is. Mr. Marino confirmed that the premises is in compliance. Ms. Vreeland asked if anything has to be charged. Mr. Lozada responded that it is at the Board's discretion. Ms. Paul made a motion that the fees be waived. Ms. Vreeland seconded the motion. All voted in favor. The motion passed unanimously. Ms. Lozano re-stated the motion as follows: we have a first and a second and voted on motion to reduce the administrative fine from \$460,750 to zero.

Mr. Marino stated the following: "Let the record show that Ms. Jones is no longer acting as a respondent before the Board. She is now acting as an active Member of the Board."

7) COMMUNICATIONS AND PETITIONS/OTHER BUSINESS

Mr. Marino opened the floor for public comments.

Ms. Lozano asked Ms. Adams if there was anyone online who wanted to make any comments. Ms. Adams responded there is no one online that wanted to make any comments.

Ms. Lozano stated that there is no one outside or in the Chambers to speak before the Board.

8) SUNSHINE LAW DVD

All members present and Staff watched the Sunshine Law DVD.

9) BOARD/MEMBER/STAFF ROUND TABLE DISCUSSIONS

Mr. Marino announced that we will now have a round table discussion with Board Members and Staff. He stated that this is the time for the Board to discuss anything that they would like.

Ms. Paul had no items to discuss before the Board.

Mr. Cannon was not present to discuss any items before the Board.

Mr. Austell had no items to discuss before the Board.

Ms. Jones had no items to discuss before the Board.

Mr. Wilson had no items to discuss before the Board.

Ms. Vreeland had no items to discuss before the Board.

Mr. Marino stated that he had two issues tonight.

Mr. Marino stated that he wanted to talk about the Sunshine Hotel (Seminole Hotel). He stated that we know that we have someone who wants to come before the Board who owns property and businesses in town that wants to renovate the hotel. He stated that he could not see the Board doing something with this case as he imagines that at some point the property owner

would like to ask for reduction on fines. Mr. Marino stated that property owner has a poor record of accomplishment in town.

Mr. Marino stated that his second issue is the Estes Electric Building. He stated that the permit for that property has been extended another 90 days and he has not seen anything be done. He stated that Commissioners and residents are tired of seeing this property and he does not want it to come back before the Board as this has been an ongoing case since 2005. He stated that he has not seen anything on this building be done as there is junk all over the place, high grass in the back of the property and lots of construction equipment. He stated that the building is a blight in the area. Ms. Vreeland asked when the 90-day approval was granted. Mr. Lozada responded that the property owner requested an inspection, which was approved and extended his permit through the Building Department, and the permit is now good through January. Ms. Vreeland stated that she noticed work be done on the back side. Mr. Lozada stated that the property does have a demolition order that was ordered by the Board, but so long as the permit is active, we have to halt the demolition.

Ms. Vreeland asked about the Seminole Hotel and the foreclosure.

Mr. Galloway stated that concerning the Seminole Hotel he has filed a motion for Summary Judgement and we are waiting for a Judge to be assigned. He stated that he anticipates two or three more months before the case is completely resolved, and that when City takes title the property will be conveyed to the CRA Board, as it is easier for them to work with investors. The City Commission is not going to waive the fines, by the time it goes to judgement the fines will be over \$300,000.

Ms. Vreeland asked what is going on with the Grand Hotel? Mr. Lozada responded that there had been a meeting today with Ray Brown, the property owner of the Hotel. Mr. Lozada stated that Mr. Brown wants to submit plans to be part of the Dover Kohl plan.

Ms. Lozano had numerous items to discuss. Ms. Lozano stated that although it is a long way out, she wanted to let some Board members know that their terms will expire in July of 2021. She stated that Ms. Vreeland is on her third term and she has to break for a year in July. She stated that Ms. Jones is actually on her first term and Mr. Wilson is also on his first term and that they may want to start thinking about re-applying or if they know of anyone that can fill a vacant seat to please refer them to apply for the Board even if it's really early. Ms. Lozano stated that there are other openings on other Board's and invited Ms. Adams to notify the Board of other Vacancies. Ms. Adams stated that there are currently three vacancies on the Board of Adjustments and Appeals which is a five-member board, and that on the Planning and Zoning Board there are two vacancies of the seven-member Board.

Ms. Lozano mentioned that there will not a lot of emphasis on the Amnesty Program. She stated that the Board already has the power to reduce the fines to zero. She stated that we are not getting rid of the program but that property owners will be offered regular reductions instead as they are not as strict as the Amnesty Program. She stated that property owners do not have to wait until the program rolls out and instead they can take care of the liens sooner rather than later.

Ms. Lozano stated that staff wants to discuss demolition and foreclosure orders. She stated that those orders are final. Ms. Lozano invited Mr. Lozada to add on to the discussion. Mr. Lozada stated that he wants the Board to understand that once a demolition order is ordered, that

staff will start the process and go through the process without interruption. He stated that in the past there has been confusion when we have been in the middle of the demolition process and there is a permit issued. We want to avoid future issues and we want to make sure that we are all clear and on the same page, that demolition means we intend to demolish the property. Mr. Wilson asked for clarity when it pertains to the Estes Building. Mr. Wilson stated, if we move towards demolition, but as it was stated this evening there is stay on that case. Mr. Lozada stated that we have stated in the past that if they work towards getting a permit we will put our demolition on hold. Mr. Lozada stated that we want to avoid that in the future. Ms. Lozano stated that the demolition order is final once issued and property owners cannot come back to ask you to rescind that order. Mr. Lozada clarified Ms. Lozano's statement and stated, unless they are within their appeal period. Ms. Lozano stated that it is the same situation with the foreclosure orders. Property owners cannot come back and she provided the Seminole Hotel as an example. The Seminole Hotel owner was made aware of the Foreclosure Order prior to purchasing the Hotel. Ms. Lozano clarified for the Board that unless a premise is in compliance there is no reason for the case to come back before the Board for a reduction as the fines are still running.

Ms. Lozano asked the Board Members if any of them would be out of town in December. All Board members responded that they would all be in town.

Mr. Bennett stated that he really does not have much to say because when you have good staff you can just sit back and let them do their job. He thanked Mr. Lozada and Ms. Lozano. He also thanked the Board for their time.

Mr. Lozada stated that he wants to thank everyone on the Board for their service.

Mr. Marino stated that he would like to wish everyone a Happy Thanksgiving, especially during these trying times that we are all dealing with.


10) ADJOURNMENT

With no further business to discuss, the meeting was then adjourned at 6:23pm.

Attest:



Fany Lozano, Recording Secretary



Ralph Marino, Chairman or
Wilena Vreeland, Vice Chairwoman