

MINUTES
Code Enforcement Special Magistrate
City of Lake Alfred
City Hall
April 21, 2022
3:00 p.m.

Special Magistrate Mawhinney called to order the Code Enforcement Special Magistrate meeting at 3:00 p.m., explained the general procedures, and conducted the swearing-in ceremony. All audience members and city staff in attendance took the oath.

Staff in attendance: Assistant City Attorney Seth Claytor, Community Development Director Ameer Bailey, Building Inspector Timothy Otte, Code Enforcement Officer Carl Watson, and City Clerk Linda Bourgeois.

Cases 3, 4 & 8 were removed from the agenda before the hearing.

Special Magistrate Mawhinney approved the March 17, 2022, Special Magistrate Code Enforcement meeting minutes.

SUPPLEMENTAL ORDER IMPOSING FINE

1. Case # 2021-00001
Linda P. Melendez or Estate of Javier Melendez
230 W. Cummings St.
Parcel #:26-27-32-500000-001141

The respondent was not in attendance.

Code Enforcement Officer Watson presented the case. He said Ms. Melendez was continuing to work on the property and could not be in attendance. A letter was read into the record by Community Development Director Bailey.

Special Magistrate: Approved the supplemental order of fines for \$15,400.00, and assessed the city's administrative costs of \$38.56 payable within thirty (30) days.

ORDER IMPOSING FINE

2. Case # 2021-00047
Abrar Realstate LLC
1155 S Lake Shore Way
Parcel # 26-28-05-525500-007060

The respondent's contractor Mr. Ralph Price, of Ralph Price Construction and Roofing, and the property owner were in attendance.

Code Enforcement Officer Watson presented the case.

Mr. Price said shortly after the notice of violation was received, his company was contracted to bring the property into compliance with the city's code. He said the materials were hard to obtain, they were short-staffed due to Covid, and he had completed the project as fast as he could get it done.

Special Magistrate: On case number 2021-00047 found the property in compliance. He approved the fines of \$2,500.00 and assessed the city's administrative costs of \$39.71 payable within thirty (30) days.

~~3. Case # 2021-00033 RY TY ONE LLC
660 N. Buena Vista Dr.
Parcel # 26-27-29-494000-000012~~

OLD BUSINESS:
FINE REDUCTION

~~4. Case # 2021-00025-R
Cold FD Portfolio VII LLC DBA: Family Dollar Store
225 S. Lake Shore Way
Parcel # 26-27-32-503000-042010~~

5. Case # 2021- 00035
Raymond T. Harris III and Robin Harris
285 Nekoma Ave.
Parcel # 26-27-32-503000-039043

The respondent Raymond Harris was in attendance.

Code Compliance Officer Watson presented the case. The staff recommendation was for \$4,600.00 which is a 50% fine reduction of the total fine of \$9,200.00 and the city's administrative costs of \$34.36 to be paid within thirty (30) days.

Raymond Harris presented a letter that was read into the record by Community Development Director Bailey.

Special Magistrate Mawhinney, on Case No. 2021-00035 for Raymond Harris, found the property in compliance. He reduced the fine to \$200.00 and assessed the city's administrative costs for this hearing of \$34.36. The fines and costs are payable within thirty (30) days, or the fine reduction will be voided.

NEW BUSINESS:

ORDER FINDING VIOLATION
FIRST OFFENSE

6. Case # 2022-00001
Linda P. Melendez or Estate of Javier
Melendez
230 W. Cummings St.
Parcel #:26-27-32-500000-001141

City Codes Cited:

Section 106.3 Declaration of a nuisance; demand for correction MPMC
Section 108.1.3 Structure unfit for human occupancy. MPMC
Section 108.1.5 (6), (7), (9) Dangerous structure or premises. MPMC

Section 302.7 Accessory structures. MPMC
Section 304.7 Roofs and drainage MPMC

The respondent was not in attendance.

A brief discussion ensued regarding the re-roofing permit that was ready for pick-up in October of last year and that the permit was not issued prior to the issuance of the notice of violation.

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, allow thirty (30) days for correction or a \$100.00 per day fine, and assess the city's administrative costs of \$72.77.

Special Magistrate: Found the property in violation. Allowed for forty-five (45) days to bring the property into compliance or a \$100.00 per day fine will commence accruing. Assessed the city's administrative costs of \$72.77 payable within thirty (30) days.

7. Case # 2022-0004
Estate of Alva Mae Crudup
540 E. Tangerine Ave.
Parcel # 26-27-28-493500-008150

The respondent Anothony Williams, Grandson of Alva Mae Crudup, was in attendance.

City Codes Cited:

Section 106.3 MPMC - Declaration of a nuisance; demand for correction
Section 302.1 MPMC - Sanitation and storage of materials
Section 302.4 MPMC - Weeds and overgrowth
Section 302.8 MPMC - Motor Vehicles
Section 32-1 LAC. - Nuisance declared

A brief discussion ensued regarding the address of where the notices were sent.

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, allow thirty (30) days for correction or a \$50.00 per day fine, and assess the city's administrative costs of \$72.77.

Mr. Williams said most of the violations had been corrected except for the vehicles. He explained what was going on with the vehicles and the property.

Special Magistrate: Found the property in violation. Allowed for thirty (30) days to bring the property into compliance or a \$50.00 per day fine will commence accruing. Assessed the city's administrative costs of \$72.77 payable within thirty (30) days.

~~8. Case# 2022-00008
Olivares Fermin Alejandro Olguin
160 E. Thelma St.
Parcel# 26-27-32-501700-000200~~

9. Case # 2022-00014
Gary or Penelope Krotke
150 E. Echo St.

Parcel # 26-27-32-501600-000050

The respondents David Cogdill and Gary Krotke were in attendance.

City Codes Cited:

Section 106.3 MPMC - Declaration of a nuisance; demand for correction

Section 302.1 MPMC - Sanitation and storage of materials

Section 302.8 MPMC - Motor Vehicles

Section 54-92 - Parking in designated zones prohibited, exceptions (LCO)

Section 4.4.3 - Other Vehicle Parking (ULDC)

Section 3.8.7 - Home-based business (ULDC)

Section 54.91 - included for clarification

Code Enforcement Officer Watson presented the case. The city's recommendation is to find the violations exist and continue to exist, allow fifteen (15) days for correction or a \$250.00 per day fine, issue a cease and desist order for Bad Boyz Powersports, LLC at the residence, and assess the city's administrative costs of \$106.83.

David Cogdill said he had moved from a ten-acre property and brought his vehicles to the new property. He said the Bad Boyz Powersports, LLC was not operating out of his residence because it had a physical location in Davenport.

A discussion ensued regarding the complaints from the neighbors, debris and trash in the backyard, several people were working on cars in the front yard, no application had been submitted for a city business tax receipt, and the address on Sunbiz.org for Bad Boyz Power Sports, LLC is identified as the respondents property's address.

David Cogdill said he would get the rear yard cleaned up and correct the address on Sunbiz.org.

Special Magistrate: Found the property in violation. Allowed for thirty (30) days to bring the property into compliance or a \$150.00 per day fine will commence accruing, and he assessed the city's administrative costs of \$106.83 payable within thirty (30) days.

Due to a mutual understanding between the respondent and the City, there was no action taken on the cease and desist request.

OTHER BUSINESS

The next hearing date is scheduled for May 19, 2022, at 3:00 p.m.

The Code Enforcement Special Magistrate was adjourned at 4:06 p.m.

Respectfully Submitted,



Linda Bourgeois, BAS, MMC, City Clerk