

**MINUTES**  
**Code Enforcement Special Magistrate**  
**City of Lake Alfred**  
**City Hall**  
**June 16, 2022**  
**3:00 p.m.**

**Special Magistrate Mawhinney** called to order the Code Enforcement Special Magistrate meeting at 3:06 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.

**Special Magistrate Mawhinney** approved May 19, 2022, Special Magistrate Code Enforcement meeting minutes.

**SUPPLEMENTAL ORDER IMPOSING FINE**

1. Case # 2021-00031  
Jerry Wyche  
621 Totty Way  
Parcel# 26-27-33-513980-000100

The respondent Jerry Wyche was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Jerry Wyche** said he is in negotiations with a contractor for repairs to the retaining wall.

**Special Magistrate:** Approved the Supplemental Order of Fines for \$11,900, and assessed the city's administrative costs of \$41.81 payable within thirty (30) days.

**ORDER IMPOSING FINE**

2. Case # 2021-00043  
Event Place at Lake Alfred LLC  
6441 Hwy. 17-92  
Parcel # 26-27-27-490100-000507

The respondent was not in attendance.

**Code Enforcement Officer Watson** presented the case.

**Special Magistrate:** Found the property in compliance. Approved the fines for \$2,400, and assessed the city's administrative costs of \$46.01 payable within thirty (30) days.

3. Case# 2021-00060  
0 & 0 Property Group LLC  
680 E. Haines Blvd.  
Parcel#: 26-27-33-516000-001140  
(now 001141, 001150, 001160, 001170)

The respondent was not in attendance. Elycia Gonzales secretary of Omar Arroyo Managing Members of LLC Owner, was in attendance.

**Code Enforcement Officer Watson** presented the case.

Ms. Gonzales presented photos of the property repairs as evidence and there were no objections to the evidence. She said the fence in the back was removed but did not have a photo and the windows have been ordered with a 12-15 week wait period. She said they boarded doors and windows to secure the home and said this was just temporary until the windows and doors come in. She concluded by saying they are ready for reinspection.

**Special Magistrate:** Found the violations continue to exist. Approved the fines for \$4,100, and assessed the city's administrative costs of \$38.56 payable within thirty (30) days.

4. Case# 2022-00003  
Dan or Elida Shepard  
1118 Cross Ave.  
Parcel # 26-28-05-523500-000360

The respondent was not in attendance.

**Code Enforcement Officer Watson** presented the case.

**Special Magistrate:** Found the property in compliance. Approved the fines for \$2,250, and assessed the city's administrative costs of \$41.81 payable within thirty (30) days.

5. Case# 2022-00014  
Gary or Penelope Krotke  
150 E. Echo St.  
Parcel # 26-27-32-501600-000050

The respondent Gary Krotke was in attendance.

**Code Enforcement Officer Watson** presented the case.

**Special Magistrate:** Found the property in compliance. There were no fines imposed and he assessed the city's administrative costs of \$43.91 payable within thirty (30) days.

Special Magistrate called for a recess at 3:34 p.m. and reconvened at 3:41 p.m.

#### FINE REDUCTION

6. Case # 2021-00004  
Ash Street Group LLC  
670 E. Lake Alfred Dr.  
Parcel # 26-27-33-000000-033040

7. Case # 2021-00036  
Ash Street Group LLC  
670 E. Lake Alfred Dr.

Parcel # 26-27-33-000000-033040

8. Case # 2021-00039  
Ash Street Group LLC  
670 E. Lake Alfred Dr

**Attorney Daniel Fox** was in attendance on behalf of the respondent.

**Special Magistrate Mawhinney** said we would collectively hear all three cases for property located at 670 E. Alfred Drive.

**Assistant City Attorney Claytor** said a proposed settlement has been reached and the City would be seeking the Magistrates authority to move forward with a conditional settlement. The conditional settlement terms would be as follows:

- One-time payment wire transfer of \$19,484.00 for the reduction of all cases of administrative liens and all costs and fees.
- The violations on Case # 2021-00039 there have been two inspections over the last seven days and there have been four remaining issues that need to be remedied.
- Upon confirmation within payment within 15 days and the correction of the remaining violations within thirty (30) days from today's date, a release of lien would be issued by the City and recorded in the Clerk of Courts of Polk County Florida for all three cases.
- In the event all the terms are not satisfied, Case No. 2021-00039 would remain open and there would be no reduction as related to the other two cases.

The Building Official **Mickey Matison** read the lot numbers into the record. Lot numbers: 60; 18; 84; and 20; with a 30-day time frame to bring the property into compliance.

**Assistant City Attorney Claytor** said if it was approved we would memorialize the settlement agreement for execution by Ash Group LLC and the City of Lake Alfred.


A brief discussion ensued regarding the conditional settlement agreement, the two cases already having a final certification of fines, and the settlement agreement being voided if the conditions are not met in the agreement.

**Attorney Fox** requested a memo be created for the record so we have something that very distinctly defines the full repairs that have to be made.

**Special Magistrate Mawhinney** approved the conditional settlement subject to settlement terms as stated on the record.

The next hearing date is scheduled for July 21, 2022, at 3:00 p.m.  
The Code Enforcement Special Magistrate was adjourned at 3:47 p.m.

Respectfully Submitted,

  
Linda Bourgeois, BAS, MMC,  
City Clerk