

Quasi-Judicial Hearing

July 21, 2022

Magistrate Libby called the meeting to order at 9:01am.

. Stated the hearing is open to the public, but they do not participate unless called upon to testify. New agenda process, approval of the minutes first and introduction. Minutes approved from June 16th that were emailed previously to the Magistrate.

Attorney Tim Sloan present, Code Enforcement Officers Melissa Correia and Jim Talley present. Mark Hodges, building inspector, present

1. 4902 Meadow Street – owner not present. All other sworn in at 9:03pm.

Code noticed property of hearing. Anonymous letter received by city about condition of home and children inside. Temporary roof cover worn out; soffit open. Ordered 31 days an attached fine. Attorney clarified that owner has 31 days to obtain permit, \$500 in attorney fees, \$39 in city mailing costs. Magistrate stated after 32 days code should confirm and 15 days to inspect and go from there.

2. 238 S Sudduth Place- Richard Schindler new owner and all others sworn in.

Property ownership transferred recently to Parker Square LLC. Fines paid on previous order by previous owner. June 1st deed transferred, new owner thought case would start over with sell and fines paid. Delays is sale due to seller not having notarized documents and easement with Gulf Power, landscape cleared up, roof under contract with Jerry Wilson to replace, hole inside of building transients have been reported in building. Owner asked for all charges to be dismissed and if problems continue, he would be liable. Attorney Sloan stated the liability transferred to new owner with purchase. City requested 31 days to pull a permit. Magistrate gave 31 days to pull permit and have roof completed after permit issued. City's request for order to set 31 days for permit and timeline for repairs to start denied. Order given 31 days to pull permit.

3. 4806 E Bus 98 – Miss Kim and Mike Lasley present, all sworn in.

Came before Magistrate in January, owner had attorney present at that time. Order was given and fine stayed at that time. Agreed to submit architect drawings with in 30 days, complete application and building permit in 60 days, \$7500 fine, \$1000 attorney fee paid. Repair was to start 30 days after permit received, 6 months to complete repair and remove debris and dumpster, power wash structure and

fencing placed. Development order was submitted to city, May 17 email to owner requesting answers to City's engineering questions sent, owner states they did not receive the email. Previously communicated with the city by emails. Magistrate stated owners have not followed the orders given previously. Owner stated he has cleaned up site but did not receive the email with engineer's questions until clerk sent them 3 days ago, paid DO in March of \$1000. Magistrate concerned over noncompliance of order. Structural engineer report in question, was given at very first hearing several years ago. City requested that all information be submitted at one time and not in bits. City requested 14 days to submit check list from City engineer. Magistrate requested this happen fast and abate if not done since first order was not followed. Magistrate ordered fine from February 2nd till today, be paid in 30 days, if not paid in 30 days we will go from there. End of 30 days if structural report not submitted to city, fully answer all 22 questions in 14 days, then 30 days after permit to start work, then 6 months to finish work after permit. Magistrate states he can appeal. Owner has older structural engineer report from year and a half ago, Attorney stated a new report must be submitted that is from after January 3, 2022. If not done the magistrate will see you again and city can demolish. Miss Kim states she no longer has attorney, city attorney stated it is up to her if she wants a new attorney. City requested they mow grass at site.

4. 360 S Tyndall Parkway- Mr. Olbeido in attendance for owner, all parties sworn in.

Two prior orders on property, new owner accepted liability, fines paid. Letter for permit issued 60 days ago, June 24, 2022 reroof permit obtained, photos of property submitted. No engineer report received by city. Magistrate requested to see them due to noncompliance with order. Intention of new owner is to be a good neighbor. Reroofing and landscaping, retention pond cleaned up. Contractor out with Covid. Roofing contractor on site. Magistrate said to comply with order, stay in contact with city on progress. City asks that current order stay in place and not set new order. Magistrate stated that compliance not met in the timeline ordered. Magistrate would not like to abate due to it is a big project ahead. Architectural report not received in timeline set, they will send report to city, may have been completed with roof permit. If date on report is within timeframe set in order, request for fine to be removed of \$5000. \$539 of attorney fees and cost will be imposed today and \$5000 fine that can be amended later if needed.

5. 507 N 11th St – Brice Vorderberg and all others sworn in

Previous fine of \$23750 imposed requesting fine reduction today. Magistrate was considering reducing fine to \$250 and attorney fee and costs to \$535 per attorney. Closing on home was to be on the 11th, previous fine caused contract to fall through. 10 others looking at property per owner, cannot close because payoff and fine are larger than offer. Buyer has pulled out of deal, may be able to revisit sale. Magistrate has read application and willing to make adjustments, however, need you to update request regarding closing. Can arrange a special meeting if time comes for a new buyer and they accept liability of write up of property. Magistrate will table until owner is ready to proceed, owner should stay in contact with city. 2 orders are currently in effect on property, owner need to submit a new fine reduction application when time comes.

6. 750 S Hwy 22 A – Oak Grove Mobile Home Park Duy Nguyen in attendance, all parties sworn in.

Request for reduction of fine on the 4 cases of lots 25, 47, 61, and 68. City abated the nuisance, \$3365.06 cost to city, fines at \$16000 currently. Owner would like to move in new homes on sites,

losing money monthly. Owner aware of codes when purchased property. He was showing effort to get demolished, thought that would take care of issue. Magistrate reduced fines to \$11,904.06 total, \$7500 plus abatement cost of city \$3365.06 and additional attorney fees from both hearings.

7. 4902 Meadow Street owners now present, Mr and Mrs. O'Neil, all parties sworn in

Reopened case, Attorney Sloan recapped order from earlier in hearing, 31 days to apply for permit, building inspector declared home unfit/unsafe. Owners concurred. No code violation, enforcement should have been in contact with owner. 31 days given to get permit and start repairs, compliance affidavit needs to be done by code officer, fines waived.

Hearings closed by gavel at 10:26.

A handwritten signature in cursive script, appearing to read "Jami Hinrichs", is written over a horizontal line.

Jami Hinrichs, City Clerk