

CITY OF ST. CLOUD
CODE ENFORCEMENT MEETING
September 18, 2019

MINUTES

I. CALL TO ORDER - Special Magistrate Smith called the meeting to order at 3:00 P.M. Special Magistrate Smith asked if there was only one member of the public, he forwent on his opening comments as it was not applicable on the reduction of liens.

II. PLEDGE OF ALLEGIANCE

III. PUBLIC HEARINGS -

A. NEW CASES -

CASE #2019-1845- Clara Faye Johnson, Owner

Location of Violation: 721 McKay Street, St. Cloud Florida

Violation: St. Cloud City Code, Section 24-162(A)

Description of Violation: Failure to prohibit but rather allowed high grass/weeds above a height of eight inches at this location

At this time, anyone intending on offering testimony was sworn in by the Special Magistrate.

Code Enforcement Officer Pam Neal presented the case in narrative form and provided an evidence packet and a PowerPoint presentation. At the conclusion of her presentation, she noted that the Respondent was not present. Officer Neal recommended that the property be found in violation of allowing high grass/weeds above the height of eight inches at this location and to have the grass/weeds on the entire property mowed by September 30, 2019 or pay a fine of \$100.00 a day until compliance is met. She further recommended that the respondent pay the administrative cost in the amount of \$240.10 to be paid within seven days of the written order of the Special Magistrate.

Magistrate Smith found in favor of the city. He ordered that the respondent cure all violations by September 30, 2019 and that failure to comply will result in a daily fine \$100 until compliance is met. He further ordered the respondent to pay the city for administrative cost in the amount of \$240.10 to be paid within seven days of the Magistrate's written order.

At this time, City Attorney Jack Morgeson requested if Mr. McClure's case could be heard as he was now present. Special Magistrate Smith had no objections. Special Magistrate Smith gave his opening statement and introduced himself.

CASE #2019-1633- Michael G. McClure, Owner

Location of Violation: 1102 Kentucky Ave, St. Cloud Florida

Violation: St. Cloud City Code, Section 24-162(A)

Description of Violation: Failure to prohibit but rather allowed high grass/weeds above a height of eight inches at this location

Code Enforcement Officer Melissa Howes presented the case in narrative form and provided an evidence packet and a PowerPoint presentation. At the conclusion of her presentation, she noted that the Respondent was present. Officer Howes recommended that the property be found in violation of allowing high grass/weeds above the height of eight inches at this location the administrative cost in the amount of \$196.60 to be paid within seven days of the written order of the Special Magistrate.

Magistrate Smith sworn in Mr. McClure who was about to give testimony. Mr. McClure stated that he has had trouble with tenants and that he has switched his property to a Management Company who was supposed to have cut the grass. He personally cut the grass.

Magistrate Smith found in favor of the city. He ordered that the respondent to pay the city for administrative cost in the amount of \$196.60 to be paid within seven days of the Magistrate's written order.

CASE #2019-1371- Marvin J. New and Donna J. New, Owner

Location of Violation: Vacant Parcel/Michigan Ave, St. Cloud Florida

Violation: the 2015 International Property Maintenance Code, Sections 108.1. 108.1.1, 108.1.5(3-8), 110.1, 110.3, 106.3, 301.2, 301.3, 302.1 & 302.7, adopted by the St. Cloud City Code, Section 10-33

Description of Violation: Failure to prohibit but rather allowed an unsafe structure that is dangerous to the life, safety & health of the public

Code Enforcement Officer Terry Sparkman presented the case in narrative form and provided an evidence packet and a PowerPoint presentation. At the conclusion of her presentation, she noted that the Respondent was not present. Officer Sparkman recommended that the property be found in violation of an unsafe structure that is dangerous to the life, safety & health of the public and the respondent remove all debris by October 18, 2019 or pay a fine of \$100.00 a day until compliance is met. She further recommended that the respondent pay the administrative cost in the amount of \$195.60 to be paid within seven days of the written order of the Special Magistrate.

Special Magistrate Smith asked Officer Sparkman if the city wanted to him order anything as it relates to the building still standing. Officer Sparkman stated that if the respondent is going to get a permit he needs to apply for it and obtain it within thirty days. Magistrate Smith found that the respondent is in violation for the unsafe structure and he noted in the Statement of Violation that some of the sections cited relate to demolition but he does not see where a demolition permits has been issued, so he is not finding a violation for failure to comply with the demolition portion. He ordered that the respondent remove all debris from the lot and also apply for a permit to either remove or rehabilitate the still standing structure by October 18, 2019, failure to comply will result in a daily fine \$200 until compliance is met. He further ordered the respondent to pay the city for administrative cost in the amount of \$195.60 to be paid within seven days of the Magistrate's written order.

CASE #2019-1903- Kendra Padilla Bueno and Gerson Bueno, Owner

Location of Violation: 2022 11th Street, St. Cloud Florida

Violation: St. Cloud City Code, Section 24-162(A)

Description of Violation: Failure to prohibit but rather allowed high grass/weeds above a height of eight inches at this location

Code Enforcement Officer Melissa Howes presented the case in narrative form and provided an evidence packet and a PowerPoint presentation. At the conclusion of her presentation, she noted that the Respondent was not present. Officer Howes recommended that the property be found in violation of allowing high grass/weeds above the height of eight inches at this location and to have the grass/weeds on the entire property mowed by September 25, 2019 or pay a fine of \$100.00 a day until compliance is met. She further recommended that the respondent pay the administrative cost in the amount of \$204.60 to be paid within seven days of the written order of the Special Magistrate.

Magistrate Smith found in favor of the city. He changed the compliance date to September 30, 2019 to give him time to send the order and allow the owner's time to affect the cure. He ordered that the respondent cure all violations by September 30, 2019 that failure to comply will result in a daily fine \$100 until compliance is met. He further ordered the respondent to pay the city for administrative cost in the amount of \$204.60 to be paid within seven days of the Magistrate's written order.

UNFINISHED BUSINESS - None

- V. NEW BUSINESS –**
A summation was given by City Attorney, Jack Morgeson
Magistrate Smith order that the Respondent shall pay to the city, the amount of \$232.28 for administrative costs
- VI. NEXT SCHEDULED MEETING -** October 16, 2019
- VII. ADJOURNMENT -** Magistrate Smith adjourned the meeting at 3:35p.m

Submitted by _____ Date _____
Claudia Klockars, Clerk to the Magistrate