

**CITY OF WILLISTON  
CODE ENFORCEMENT BOARD  
AGENDA**



**DATE:** August 24, 2020  
**TIME:** 6:00 PM  
**PLACE:** City Council Chambers

**CODE ENFORCEMENT COMMITTEE MEMBERS:**

Sharon Brannan, Chair	<i>Staff</i>
Vacant	Jackie Gorman, Community Dev & Grants Mgr.
Colette Roth	Laura Jones, Secretary
Marc Pompeo	Nicki Bouse, Secretary
David Ragland	Frederick Koberlein, City Attorney
Paul Missall	Wayne Carson, Code Enforcement Officer
Pam Myhree	

**CALL TO ORDER**

**AGENDA**

- A. PLEDGE
- B. ROLL CALL
- C. GENERAL WELCOME NOTICE BY CHAIRMAN
- D. APPROVAL OF AGENDA
- E. APPROVAL OF MINUTES – *JULY 27, 2020*
- F. REMARKS OF STAFF OR ATTORNEY –
- G. REMARKS OF CHAIRMAN
- H. CITY STAFF SWORN BY SECRETARY
- I. CASES READ FOR CLOSURE BY SECRETARY
- J. NON-COMPLIANCE HEARINGS – NONE

**NOTICE:**

**IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, THEY WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**

K. NEW BUSINESS – ***STATUS ON PENDING CASES***

1. **Code Enforcement – Case CV 20-03**

- a. Property Owner: Auguste Zettler, Cora Hansel
- b. Property Address: 0554600100 (No Address)
- c. Courtesy Visit: July 23, 2020
- d. Original Violation Notice from City: August 18, 2020
- e. Deadline for Compliance: September 18, 2020
- f. Notice of Hearing Posted: NA
- g. Date Notice Received by Owner: NA
- h. Signed by: NA
- i. Original Hearing Date: NA

2. **Code Enforcement – Case CV 20-06**

- a. Property Owner: CXS (Florida Northern Railroad)
- b. Property Address: Right of Way
- c. Courtesy Visit: July 15, 2020
- d. Original Violation Notice from City: NA
- e. Deadline for Compliance: NA
- f. Notice of Hearing Posted: NA
- g. Date Notice Received by Owner: NA
- h. Signed by: NA
- i. Original Hearing Date: NA

3. **Code Enforcement – Case CV 20-07**

- a. Property Owner: Walgreens
- b. Property Address: 8 NW Main St.
- c. Courtesy Visit: July 5, 2020
- d. Original Violation Notice from City: August 18, 2020
- e. Deadline for Compliance: September 18, 2020
- f. Notice of Hearing Posted: NA
- g. Date Notice Received by Owner: NA
- h. Signed by: NA
- i. Original Hearing Date: NA

L. REDUCTION HEARINGS - NONE

*[Read Statement before Reduction Hearings]*

M. OLD BUSINESS – ***REQUEST TO MOVE FORWARD WITH FORECLOSURES***

N. ADJOURN

**-NEXT MEETING – SEPTEMBER 22, 2020**

**NOTICE:**

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**CITY OF WILLISTON**  
**BOARD OF ADJUSTMENT/ CODE ENFORCEMENT MINUTES**  
**JULY 27, 2020**

**BOARD OF ADJUSTMENT/ CODE ENFORCEMENT COMMITTEE MEMBERS:**

Sharon Brannan, Chair  
Marc Pompeo, Vice Chair  
Colette Roth  
Paul Missall  
Pam Myhree  
David Ragland  
Vacant

*Staff*

Jackie Gorman, Community Development Grants Mgr.  
Laura Jones, Secretary of the Board  
Wayne Carson, Code Enforcement Officer  
Frederick Koberlein, City Attorney

**BOARD OF ADJUSTMENT**

CALL TO ORDER

6:00 PM

PLEDGE

ROLL CALL

All Present

GENERAL WELCOME NOTICE BY CHAIRWOMAN

SECRETARY – BOARD MEMBER TERM UPDATE

Ms. Jones requested all members to vocalize their intention to remain on the Board. Three-Year terms need to be renewed by City Council. No business can be voted on today.

NEW BUSINESS

Ms. Brannan discussed Chapter 48 and Block 12 improvements. Ms. Gorman said it was well done and asked that the board look at it again and she will take it to Planning & Zoning to finalize. Ms. Brannan believes there needs to be minimum standards for the businesses in town. Ms. Gorman did send a letter to the owners of Block 12 and she has heard back from one owner and they were not interested. Ms. Brannan does not think volunteers should get on the second story. Ms. Gorman agreed.

Ms. Gorman asked for a continuance of the Variance for Mr. Roth. She requested a meeting in two weeks, Monday August 10, 2020 to vote on the Variance.

Ms. Gorman discussed foreclosure process. Mr. Missall said this board levies fines and Council decides if they will foreclose. Mr. Koberlein cleared up the process by saying it is up to Council to budget the foreclosure execution after this Board files the lien. This board is adjudicatory and decides on the fine. The law says this Board will determine foreclosure, but in reality, the Council has the budget to determine foreclosure. Court and attorney fees apply to foreclosures so Council has to have the final say on foreclosures. Mr. Koberlein discussed

the age of these liens and when the foreclosure process can begin. In recent years, there has been a budget for three foreclosures. Ms. Brannan said the City doesn't want to own all these properties and they need to be discussed case-by-case basis for foreclosures. The City recently went through three test cases and they were resolved. Mr. Koberlein explained if you allow the fines to accrue too much you open the door to additional legal issues including the 8<sup>th</sup> amendment. Mr. Missall asks is they have to vote on a lien. Mr. Koberlein explained that it is automatic once the fines are filed. Ms. Jones (audience) does not think that Council understood that the liens were filed and it appears they have fallen through the cracks and that is why some of the fines are so high. Mr. Koberlein said there is not one lien less than 3 years old and it may be an issue of staggered terms as the foreclosures come up and then the discussion gets lost. Ms. Gorman told the Board about the new software that will help with tracking code enforcement in the future.

Ms. Brannan feels like this board has been understaffed and she is glad there is now a staff devoted to them.

Mr. Carson brought up email addresses. Ms. Jones will assist everyone in getting to their City emails.

Ms. Brannan asked the board if they have their Rules and Procedures book and Land and Development Regs. Ms. Gorman suggested everyone refers to the Municode website instead of updating the hard copy.

ADJOURNMENT  
6:52PM

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**Sharon Brannan, Chair**

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**Laura Jones, Secretary**

**NEXT MEETING –AUGUST 10, 2020**

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## COUNCIL AGENDA ITEM

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August 24, 2020

**TOPIC: Foreclosures**

**PREPARED BY: JACKIE GORMAN, COMMUNITY DEVELOPMENT & GRANTS  
MANAGER**

**BACKGROUND / DESCRIPTION:**

**Below you will find a list of properties that the City Council would like to move forward in foreclosing. We have been advised that the Code Board needs to **vote on each case:****

1. CV 14-53 Richardson – 1050 NE 6<sup>th</sup> Blvd (Old Winn-Dixie Property)
2. CV 15-16 Zamora – 319 SE 5<sup>th</sup> Street
3. CV 16-13 – Flourndy – 4091 NE 11<sup>th</sup> Street
4. CV 17-23 – Days – 118 NE 9<sup>th</sup> Street
5. CV 18-13 – Falisi – 415 SE 4<sup>th</sup> Drive (sold to Chico Carrol)

**LEGAL REVIEW:**

**FISCAL IMPACTS:**

**RECOMMENDED ACTION:**

**ATTACHMENTS:**

**COMMISSION ACTION:**

\_\_\_\_\_ **APPROVED**

\_\_\_\_\_ **DISAPPROVED**