

**CITY OF TREASURE ISLAND, FLORIDA**  
LOCAL GOVERNMENT  
**CODE ENFORCEMENT BOARD MINUTES**  
**CEB MEETING DATE – August 27, 2009**

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**1. Call To Order:**

The meeting was called to order at 3:01 p.m. by Chairman Harris.

**2. Roll Call:**

<b>Richard Harris (Chair)</b>	<b>Present</b>
<b>John Watters</b>	<b>Present</b>
<b>Dominique Reiter</b>	<b>Present</b>
<b>Charles Weinreich</b>	<b>Present</b>
<b>Linda Ashley</b>	<b>Present</b>
<b>Frederick Kelsey</b>	<b>Absent</b>
<b>Alternate: Stephen Gingrich</b>	<b>Absent</b>

**3. Pledge.**

The Pledge of Allegiance was led by Chairman Harris.

**4. Approval of minutes.**

It was moved by Mr. Weinreich and seconded by Ms. Reiter to approve the minutes of July 23, 2009 as printed. The motion carried by voice vote.

**5. Old business.**

**CEB Case #2009-39, John's Pass Marina, Inc. This property came into compliance before the Board's compliance date.**

Mr. Powell reported that the property came into compliance on the 23<sup>rd</sup>.

**6. New business.**

**7. Swearing in of witnesses.**

City staff was sworn in by the City Attorney.

**8. Case hearings:**

**CEB Case #2009-41, Mario Lombardo, 270 115<sup>th</sup> Ave. Section 18-37, Unhealthful Accumulations Declared Nuisance, and Section 69-71(b) Dilapidated Docks.**

It was moved by Ms. Ashley and seconded by Ms. Reiter to continue with the case in the absence of the owner.

Mr. Powell presented the City's case. This property appears to be vacant. All notices mailed to the property address were returned unsigned. He was contacted by the owner today, who informed him that he was out of the country and unaware that the tenants had moved and the property was in violation. The mortgage holder is in the process of foreclosing and has cleaned up the property, with the exception of the dock. They have been granted permission to secure the dock until they can get a permit to repair or remove it. Mr. Powell showed photographs of the property.

It was moved by Ms. Ashley and seconded by Mr. Watters to enter the city's records into evidence. The motion carried upon voice vote.

Mr. Harris stated that they are in compliance with everything except Section 69:71 (b). He suggested that they find them in violation of that section and give them 20 days to come into compliance.

There was a question as to whether this was a return hearing. Mr. Powell clarified that this is a first hearing.

It was moved by Ms. Reiter and seconded by Mr. Watters to find them in violation of Section 69:71 (b), and give them until September 16, 2009 to come into compliance. The motion carried upon voice vote.

Ms. Reiter asked for clarification regarding board members filing complaints. She asked what the procedure would be. Ms. Kiefer stated that if a board member was a complainant then they can not sit as a board member on that case. Ms. Reiter asked if they were allowed to sit in the audience and present testimony. Ms. Kiefer stated that it is awkward for the city to have board members sitting on both sides. Ms. Reiter stated that it is very hard for many people to file a complaint. She has filed a complaint, but was told that her complaint was invalid. She stated that there are five or six people here that have the best interest of the city in mind, and she wants to be sure that they can file complaints if they see violations. Ms. Kiefer stated that they are within their rights to do so. It would be a severe ethical violation if they were to file an anonymous complaint and continue to sit on the board on that case and she would recommend removal if that were to happen. Mr. Weinreich asked if they should simply recuse themselves if that should happen. Ms. Kiefer answered in the affirmative.

Ms. Ashley asked what happened in the cases in the property near her. Ms. Kiefer stated that they should not discuss particular cases outside of a hearing. Ms. Ashley clarified that she was asking about the procedure in cases that they have heard in the past. Ms. Kiefer stated that they will ask Mr. Schwartz to report under old business the status of each case that they have heard. Ms. Reiter stated that she would like to see a roster of each case that they have heard.

Ms. Reiter asked if she was allowed to hand people a complaint form if someone comes to her with a complaint. Ms. Kiefer stated that she urges them to distance themselves from complaints, and tell them that they are on the board and direct them to call City Hall.

The next meeting will be held on September 24<sup>th</sup>.

**9. Adjournment.**

It was moved by Ms. Reiter and seconded by Mr. Weinreich to adjourn the meeting at 3:23 p.m. The motion carried by voice vote.