

City of Clewiston
Special Magistrate
Regular Hearing
November 18, 2015

The City of Clewiston Special Magistrate held its regular meeting in the city hall commission chambers, 115 West Ventura Avenue, Clewiston, Florida, on Wednesday, November 18, 2015. The meeting was called to order at 2:00 p.m. by Magistrate Watt.

Attendance

Magistrate present: James L. Watt

Personnel present: Debbie McNeil, Yesenia V. Ramos, Loretta Melanson and Travis Reese

Visitor(s) present: Antonio R. Perez, Daniel Cruz, Sandy Baker, Cheryl E. Gutjahr, Juan Moran, Blandford Robinson, Elizabeth Perez, Paola Cordero, Robert Bidopia, Mali Gardener, Daisy Ramirez, Chief Gutshall

Special Magistrate Watt briefly summarized the purpose of the hearing.

Approval of the minutes from August 19, 2015: Let the record show an accurate reflection of the proceedings as presented.

Swearing in of all parties intending to present testimony.

Additions/deletions to agenda: Ms. McNeil stated there are no additions or deletions at this time

OLD BUSINESS:

Case No. 15-0063:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0063, for the property located at 815 S W C Owens Ave., owner of record, Maria Moreno.

Notice was posted on the property and no response was received from the owners. The nature of the violation is overgrowth of grass and weeds. Pictures were viewed of the property.

The City of Clewiston recommends the \$50 a day fine and \$150 administrative fine. Mr. Watt as so ordered that Ms. Moreno, is out of compliance and has until the next meeting scheduled for Wednesday, December 16th, 2015 at 2:00 p.m. a decision will be made as to record a lien on her property for the amount of the fine that is owed.

Case No. 15-0102:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0102, for the property located at 308 S. Flagler St., owner of record, Greg & Denise Thompson.

Ms. McNeil stated that the violation was junk and is now in compliance.

Case 15-0102 so ordered dismissed by Mr. Watt.

Case No. 15-0104:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0104, for the property located at 312 S Flagler St., owner of record, Quincy & Doris Westberry.

Ms. McNeil stated that the violation was wood rot and is now in compliance.

Case 15-0102 so ordered dismissed by Mr. Watt.

Case No. 15-0114:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0114, for the property located at 720 E Royal Palm Ave., owner of record, Helen Dickey.

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Ms. McNeil stated that the violation is overgrowth and is out of compliance at this time. Pictures were viewed. Magistrate Watt asked if there is a house in there. The home is abandoned since hurricane Wilma. Inspector Reese was out and it is not condemnable but definitely a code issue for us and needs some repairs. We have made several attempts and have to post the property. We have sent by certified mail to the trust. Helen Dickey is deceased. Has our City Attorney made any attempts to look at the probate file? Tell Mr. Schoech that the Magistrate has indicated that he should do so. It seems to me that it is common sense.

The City of Clewiston recommends the \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on her property for the amount of the fine that is owed on our December meeting.

Case No. 15-0135:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0135, for the property located at 831 E Sagamore Ave. Lot #4N, owner of record, Glenda Barbree.

Ms. McNeil stated that the violation is, No Valid Tag, not road ready, appliances outside, and accessory structure, and at this time it is out of compliance.

The City of Clewiston recommends the \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on her property for the amount of the fine that is owed on our December meeting.

Case No. 15-0181:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0181, for the property located at 332 E Del Monte Ave., owner of record, Donald Howell.

Ms. McNeil stated that the violation was junk, fence, and unfinished work, and is now in compliance.

Case 15-0102 so ordered dismissed by Mr. Watt.

New Business

Case No. 15-0161:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0161, for the property located at 810 E Sagamore Ave. Lot #18S, owner of record, Clewiston Commons "Efrain Mendez".

Ms. McNeil stated that the original violation was no valid registration, skirting, and appliances outside, and is still in violation. Viewing pictures of the property. Ms Elizabeth Mendez (owner) was present. Only violation is the appliances outside which is a washer without a covering, and at this time it is out of compliance.

The City of Clewiston recommends the \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on her property for the amount of the fine that is owed on our December meeting.

Case No. 15-0165:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0165, for the property located at 810 E Sagamore Ave. Lot #10S, owner of record, Clewiston Commons "Blandford Robinson".

Ms. McNeil stated that the original violation was RV not towable. Actual vehicle is untagged, junk in the back and not registered. He was scheduled for our August hearing which was continued to this hearing. He was given written warning and it was hand delivered. Reviewed pictures of violation, and at this time it is out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Clewiston Commons "Blandford Robinson" will have a \$50 a day fine assessed and \$150 administrative fine. Magistrate Watt stated

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so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0168:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0168, for the property located at 810 E Sagamore Ave. Lot #13S, owner of record, Clewiston Commons "Roberto Bidopia".

Ms. McNeil stated that the original notice of violation was issued with no valid registration or permanent structure has been brought into compliance. The only remaining violation is the junk. Reviewed pictures of violations, and at this time it remains out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Clewiston Commons "Roberto Bidopia" will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on her property for the amount of the fine that is owed on our December meeting.

Case No. 15-0209; 15-0210:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0209 & 15-0210, for the property located at 700 E Ventura Ave Lot #10, owner of record, Royal Palm Trailer Park "Juan Moran".

Ms. McNeil stated that the original notice of violation was hand delivered 05/19/2015. There was an unpermitted fence at the time. Also, unpermitted structures. The actual RV that belongs to the tag, the registration has been brought current. So that is now in compliance. There is the fence and they have since removed part of that fence, but not all the fence. They have been contacting us. Viewed pictures of violations, and at this time it's still out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Royal Palm Trailer Park "Juan Moran" will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0219:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0219, for the property located at 700 E Ventura Ave, Lot #2; owner of record, Royal Palm Trailer Park.

Ms. McNeil stated that the original notice of violation was an outdoor water heater and it is not road ready. Viewed pictures of the outdoor hot water heater, and at this time it's still out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Royal Palm Trailer Park will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0234; 15-0227; 15-0226:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case numbers 15-0234, 15-0227, and 15-0226, for the property located at 700 E Ventura Ave, Lot #5, owner of record, Royal Palm Trailer Park.

Ms. McNeil stated that the original violation was no valid registration; inhabitable structure. There was indoor furniture outside. The residence has since gotten rid of the outdoor furniture, the original NOV. The other still exists. The original NOV, certified 06/18/2015 and was accepted. He was also one on the last hearing and continues to this day. Viewed pictures of the violations, and at this time it is still out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Royal Palm Trailer Park will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

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Case No. 15-0149:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0149, for the property located at 831 E Sagamore Ave., Lot #1N, owner of record, Clewiston Commons "Maribel Torres Carmona".

Ms. McNeil stated that the original violation was RV not road ready. Unit seemed vacant this morning, no furniture through the glass door. Viewed pictures of the violation and at this time property is out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Clewiston Commons "Maribel Torres Carmona" will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0170:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0170, for the property located at 810 E Sagamore Ave., Lot #16S, owner of record, Clewiston Commons "Jose Lopez".

Ms McNeil stated that the original violation was appliances outside, and property is still in violation. Original Notice of violation was hand delivered 05/15/2015 also hand delivered to Cheryl who is the property manager. The NOH was also delivered 11/06/2015 for this current. Viewed pictures of the violation and at this time property is out of compliance.

The City of Clewiston recommended and Mr. Watt ruled that Clewiston Commons "Jose Lopez" will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0172:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0172, for the property located at 831 E Sagamore Ave., Lot #12N, owner of record, Clewiston Commons "Marcelo Santiago".

Ms McNeil stated that the original violation was sewer connection, accessory structure; not road ready. He was able to get his sewer and accessory structure and everything into compliance except for the title. He has a title issue, he is unable to get proper title and get it road ready and remains in violation of the City Compliance.

The City of Clewiston recommended and Mr. Watt ruled that Clewiston Commons "Marcelo Santiago" will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Case No. 15-0133:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0133, for the property located at 825 E Alverdez Ave., owner of record, Denis S. Lachaine.

Ms. McNeil stated that the original violation was overgrowth and trash management. Certified notice of violation was given back in May 2015. He is a frequent repeat offender of 18-313 which is grass and trash management on an empty lot. It does have a camper trailer on it that is not tagged or road ready. Therefore, considered junk. Also, has some metal junk. It is an empty piece of property. It is ongoing. The neighbors complain about the height of the grass with snakes and rats coming from the property into their property. I will make a phone call to Fort Lauderdale and in 28 days he will come and try to correct the violation just before Magistrate.

The City of Clewiston recommended and Mr. Watt ruled that Denis S. Lachaine will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

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Case No. 15-0350:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 15-0350, for the property located at 427 E Alverdez Ave., owner of record, Sheila M. Rosales.

Ms. McNeil stated that the original violation is overgrowth. This is a vacant lot within the city, and again it is an over grown issue. It is also a reoccurring issue. The City has had to incur the cost of abating the issue for some time. It is actually a vacant fenced in lot with no structure on it but has cane planted. The cane is as tall as me. Sugar Cane.

The City of Clewiston recommended and Mr. Watt ruled that Sheila M. Rosales will have a \$50 a day fine be assessed and \$150 administrative fine. Magistrate Watt stated so ordered and a decision will be made as to record a lien on the property for the amount of the fine that is owed on our December meeting.

Lien reduction

Ms. McNeil stated that there are no lien reduction requests on the docket.

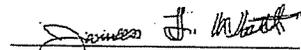
Red light camera cases

Ms. McNeil stated that there are no red light camera cases on the docket.

Magistrate Watt closed the public hearing after receiving no further comments, written or oral, from the audience or the board.

Adjournment:

The meeting adjourned at 3:40 p.m.


James Watt, Special Magistrate