

**Special Magistrate WaterWorks 2011 Hearing**  
**City Commission Meeting Room**  
**Judge Floyd Hull, Presiding**  
**October 9, 2006**  
**10:00 A.M. – 10:22 A.M.**

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Staff Present:

Eve Bazer, Administrative Assistant II  
Diana Cahill, Secretary, WaterWorks 2011 Special Magistrate  
Assistant City Attorney  
Diana Horodecki, WaterWorks 2011 Connection Coordinator  
Benjamin Wallace, WaterWorks 2011

Also Present:

CE06070616; 06070613: Richard Casale  
CE06070653; 06070666: Keith Kennedy  
CE06070891: Lewis Tunnage  
CE06070732: Jherrod Strangefellow

NOTE: All individuals who presented information to the Special Magistrate during these proceedings affirmed they would speak only the truth.

The meeting was called to order at 10:02 A.M. Judge Hull introduced himself and explained his role in ensuring adherence with the City's codes. He also pointed out that the proceedings were being recorded.

**Reference CE06070732**

Abraham & Ruth Narkes  
741 Northwest 5<sup>th</sup> Avenue #A

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was out of compliance for four days, but the City was requesting abatement of the fine.

Mr. Jherrod Strangefellow, property manager, said they had complied on 9/21/06, but inspection was not completed until 9/25/06.

Judge Hull did not impose the fine.

**Reference CE06070891**

Cynthia Tunnage  
736 Northwest 2<sup>nd</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Mr. Lewis Tunnage, husband of the deceased owner, said he had obtained the permit on 9/15 and he thought the work would be completed within 5 – 10 days. Ms. Horodecki said that with this new information that Ms. Tunnage was deceased and Mr. Tunnage was trying to comply the property, she recommended a 30-day extension.

Judge Hull granted a 30-day extension.

**Reference CE06070653**

B.W. & Carole Hoffman  
708 Northwest 8<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 9/28 and the City was recommending that the fine not be imposed.

Judge Hull did not impose the fine.

**Reference CE06070666**

Scott & Gail Kennedy  
714 Northwest 8<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 9/28 and the City was recommending that the fine not be imposed.

Judge Hull did not impose the fine.

The following two cases for the same owner were heard together:

**Reference CE06070616**

Richard Casale  
500 Northwest 8<sup>th</sup> Street

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 10/6 and the City was requesting imposition of \$250 in fines.

Mr. Richard Casale, owner, explained that the City had been responsible for mis-aligning the drains on both properties. This had required him to cross a parking lot to make his connection to the line. The City had then cited him for have the parking area in disrepair. Mr. Casale confirmed that both properties were now complied. Ms. Horodecki confirmed that Mr. Casale had completed and returned the "sewer/lateral questionnaire." Judge Hull remarked that Mr. Casale was "the victim of circumstances here beyond his control." Ms. Horodecki said that when the City had recommended the reduction, they were unaware of the situation with the lateral.

Judge Hull did not impose the fine.

**Reference CE06070613**

Richard Casale  
728 Northwest 6<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 10/6/06 and the City was requesting imposition of \$250 in fines.

Judge Hull did not impose the fine.

**Reference CE06070713**

Regal Development Inc.  
603 Northwest 7<sup>th</sup> Terrace

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06. The property was complied on 9/22/06 and the City recommended that the fine not be imposed.

Judge Hull did not impose the fine.

**Reference CE06070712**

Regal Development Inc.  
605 Northwest 7<sup>th</sup> Terrace

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06. The property was complied on 9/22/06 and the City recommended that the fine not be imposed.

Judge Hull did not impose the fine.

**Reference CE06070711**

Regal Development Inc.  
733 Northwest 6<sup>th</sup> Street

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06. The property was complied on 9/22/06 and the City recommended that the fine not be imposed.

Judge Hull did not impose the fine.

**Reference CE06070641**

First Ebenezer Christian  
Missionary Church  
312 Northwest 7<sup>th</sup> Street

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070642**

Flagler Place LLC  
616 Northwest 2<sup>nd</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines, and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070628**

Leon & Stanislaw Delbrouck  
623 Northwest 2<sup>nd</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied and the City was requesting that the fines not be imposed.

Judge Hull did not impose the fine.

**Reference CE06070869**

Glenn & Mara Powell  
623 Northwest 3<sup>rd</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070798**

Flagler Station Residences LLC  
633 Northwest 1<sup>st</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070775**

Pedro Meza  
647 Northwest 3<sup>rd</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 9/27/06 and the City was requesting imposition of \$250 in fines.

Judge Hull imposed a fine of \$250.

**Reference CE06070778**

Mara Powell  
711 Northwest 4<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070649**

GW Land Holding Inc.  
716 Northwest 7<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Reference CE06070788**

Tarpon Investment Group LLC  
734 Northwest 4<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was complied on 10/6/06 and the City was requesting imposition of \$250 in fines.

Judge Hull imposed a fine of \$250.

**Reference CE06070777**

Glenn & Mara Powell  
740 Northwest 4<sup>th</sup> Avenue

Hearing to Impose Fine

Ms. Bazer stated that this case was first heard on 8/21/06 with compliance ordered by 9/20/06; 1 section at \$100 per day. The property was not complied and the City was requesting imposition of \$1,800 in fines and their continued accrual until the property was complied.

Judge Hull signed the order to impose the \$1,800 fine and continue its accrual until the property was complied.

**Cases Complied**

Ms. Bazer announced that the below listed cases were in compliance. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06090047

CE06090049

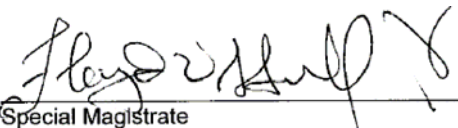
CE06070657

**Cases Pending Service**

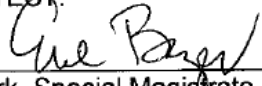
Ms. Bazer announced that the below listed cases had been withdrawn pending service to the respondents. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record by reference:

CE06070608

There being no further business, the hearing was adjourned at 10:22 a.m.

  
Special Magistrate

ATTEST:

  
Clerk, Special Magistrate