

**Special Magistrate WaterWorks 2011 Hearing
City Commission Meeting Room
Judge Floyd Hull, Presiding
February 26, 2007
10:45 A.M. – 11:40 A.M.**

Staff Present:

Maurice Murray, Community Inspections Supervisor
Mary Allman, Secretary to the Special Magistrate
Diana Cahill, Secretary, WaterWorks 2011 Special Magistrate
Laila Haddad, WaterWorks 2011 Administrative Manager
Heather Steyn, WaterWorks Project Coordinator

Also Present:

CE06070826: Jim Gomez, owner
CE06070875: Lloyd Falk, attorney
CE06070814: David Holley, owner
CE06100802: Virginia Green, owner
CE06100774: Murlene Earle, owner
CE06100909: Mary O'Brien, owner, Jordy Bodet, plumber
CE07010450: Herbert Higgins, Deacon; Eaton Woodburn, president
CE06100789; CE06100788: Kevin Freeman, owner
CE06100891: Ulysses Merriweather, owner
CE06100754: Howard Cummings, owner
CE06100854: Na Kim, owner
CE06100730: John Carson, owner
CE06100898: Keith Morgan, owner
CE06100885: Tim McCann, owner

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 10:48 A.M. Judge Hull introduced himself and explained his role in ensuring adherence with the City's codes.

Case: CE06100730

Hearing to Impose Fine

John Carson
1553 Northwest 15th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the current fine was \$3,900.

Ms. Steyn explained that a permit had been issued, but no inspection had been scheduled. She recommended imposition of the fine.

Mr. John Carson, owner, explained that he had hired the plumber, who obtained the permit the previous week. The plumber was now doing the work. Mr. Carson said he had been unable to afford the work earlier. He informed Judge Hull that he had requested an extension, but had been denied. He had refinanced the property to afford the work.

Judge Hull granted a 30-day extension.

Case: CE06070814

Hearing to Impose Fine

David & Cherrykey Holley
844 Northwest 3rd Avenue

Supervisor Murray stated that this case was first heard on 9/25/06 with compliance ordered by 11/24/06: 1 section at \$100 per day. An extension had been granted from 12/18/06 to 1/18/07. The property was not complied and the current fine was \$6,200.

Ms. Steyn stated that the owner had paid \$400 of the \$2,000 connection fee; a check for \$1,600 had bounced. She recommended imposition of the fine.

The owner had signed in, but was not present, so Judge Hull heard other cases, in anticipation of the owner's return to the hearing.

Upon returning to the case, Mr. David Holley, owner, explained that he now had a permit and the payment issues were resolved. Mr. Holley had hired a plumber, and the inspection was scheduled for the following day.

Judge Hull granted a 30-day extension.

Case: CE06100891

Hearing to Impose Fine

Ulysses Merriweather
1528 Northwest 15th Court

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 1/26/07: 1 section at \$100 per day. The property was complied on 2/5/07 and the City was requesting imposition of a \$250 fine [reduced from \$900].

Mr. Ulysses Merriweather, owner, said he had hired the plumber in time, but the plumber had not completed the work in a timely manner. He said he did not have the \$250 to pay the fine. He said he had been unaware he could request an extension. Judge Hull said he warned all respondents about this at the start of every hearing.

Judge Hull imposed a \$250 fine.

Reference CE06100789

Hearing to Impose Fine

Kevin Freeman
1506 Northwest 15th Terrace

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied.

Mr. Kevin Freeman, owner, explained that he had pulled the permits on January 8, 2007 and hired a contractor. He stated he was having trouble getting the contractor to complete all of the work necessary. Mr. Freeman had consulted an attorney, who advised him to find a new contractor, which Mr. Freeman was in the process of doing. Mr. Freeman said he had paid the original plumber even more than the contract price, but he had never completed the job.

Judge Hull granted a 30-day extension.

Case: CE06100788

Hearing to Impose Fine

Kevin Freeman
1525 Northwest 15th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied.

Mr. Kevin freeman, owner, explained that he could have this property complied within 30 days as well.

Judge Hull granted a 30-day extension.

Case: CE06100854

Hearing to Impose Fine

Na Hie Kim
1545 Northwest 15th Terrace

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 1/26/07: 1 section at \$100 per day. The property was not complied and the City was recommending that no fine be imposed [reduced from \$300].

Judge Hull imposed no fine.

Case: CE07010450

Bethel Gospel Chapel Inc.
1444 Northwest 15th Avenue

Supervisor Murray announced that certified mail sent to the owner and registered agent were accepted on 1/27/07.

Violation:

- 28-33(a): Not connected to City's sanitary sewer system.

Mr. Eaton Woodburn, president, explained that the job was complete and he was awaiting final inspection.

Judge Hull found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day.

Case: CE06100754

Hearing to Impose Fine

Phillip Cummings

1530 Northwest 14th Court

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied.

Mr. Phillip Cummings, owner, said he had never received the notices. He had pulled a permit and hired a plumber, and thought the work should be complete within 30 days.

Judge Hull granted a 30-day extension.

Case: CE06100795

Hearing to Impose Fine

Richard Golphin

1609 Northwest 15th Street

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed a \$3,900 fine with fines continuing.

Case: CE06100898

Hearing to Impose Fine

Keith & Charmaine Morgan

1609 Northwest 14th Street

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 12/11/06: 1 section at \$100 per day. The property was complied on 1/2/07 and the City was requesting imposition of a \$250 fine [reduced from \$2,100].

Mr. Keith Morgan, owner, said Judge Hull had originally allowed him 30 days to comply, but the order he received in the mail stated he only had 14 days to comply. He felt there should be no fine. Ms. Steyn reviewed the compliance information with Mr. Morgan, and stated Mr. Morgan had only been granted 14 days to comply.

Judge Hull imposed a \$250 fine.

Case: CE06100885

Hearing to Impose Fine

Timothy McCann
1617 Northwest 15th Place

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 2/1/07: 1 section at \$100 per day. The property was not complied.

Mr. Tim McCann, owner, said he had hired a plumber, who had pulled the permit but informed him the work could not be done before the middle of March.

Judge Hull granted a 30-day extension.

Case: CE06100909

Hearing to Impose Fine

Mary O'Brien
1131 Northwest 18th Avenue

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. An extension had been granted from 1/22/07 to 2/27/07. The property was complied and the City was requesting imposition of a \$250 fine [reduced from \$2,500].

Ms. Mary O'Brien, owner, said she felt the property was complied on December 22, 2006, and she had brought the plumber with her to explain.

Mr. Jordy Bodet, Harris Plumbing, said the final inspection was signed by the County inspector before Christmas, but he had indicated this was a rough inspection. Judge Hull said the City had considered this in reducing the fine.

Judge Hull imposed a \$250 fine.

Case: CE06070875

Hearing to Impose Fine

Scott Renberg
841 Northwest 4th Avenue

Supervisor Murray stated that this case was first heard on 9/25/06 with compliance ordered by 10/25/06: 1 section at \$100 per day. Extensions had been granted from 11/27/06 to 12/19/06 and from 12/19/06 to 2/2/07. The property was not complied and the City was requesting imposition of a \$5,600 fine and its continued accrual until the property was complied.

Mr. Lloyd Falk, attorney for the owner, explained that the owner had been hospitalized. He explained that the permit had been pulled and the owner had paid the connection fee, and requested another 30 days. He stated Mr. Renberg had not had the funds to pay for the work any sooner.

Ms. Steyn said the final inspection was not yet scheduled, and the owner had already been granted a 45-day extension. Mr. Falk reiterated that Mr. Renberg had been unable to afford the work, and was on Social Security, so was unable to obtain a loan.

Judge Hull imposed the \$5,600 fine with fines continuing.

Case: CE06100802

Hearing to Impose Fine

Virginia Green

1123 Northwest 17th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was complied on 1/25/07 and the City was recommending no fine be imposed [reduced from \$700].

Judge Hull imposed no fine.

Case: CE06100774

Hearing to Impose Fine

Murlene Earle

1124 Northwest 17th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was complied on 1/23/07, and the City recommending no fine be imposed.

Judge Hull imposed no fine.

Case: CE06121108

Chris Adach

1043 Northwest 17th Avenue

Supervisor Murray announced that service was via posting on the property on 2/8/07 and at City Hall on 2/12/07.

Violation:

- 28-33(a): Not connected to City's sanitary sewer system.

Ms. Steyn recommended ordering compliance within 30 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day.

Case: CE06121111

Chrispin Foyle
1426 Northwest 15th Terrace

Supervisor Murray announced that service was via posting on the property on 2/8/07 and at City Hall on 2/12/07.

Violation:

- 28-33(a): Not connected to City's sanitary sewer system.

Supervisor Murray recommended ordering compliance within 30 days or a fine of \$100 per day.

Judge Hull found in favor of the City and ordered compliance within 30 days or a fine of \$100 per day.

Case: CE06100876

E. & Louise Maggitt
1648 Northwest 13th Street

Supervisor Murray announced that this case was continued from 12/18/06.

Violation:

- 28-33(a): Not connected to City's sanitary sewer system.

Ms. Steyn said the owner had applied for a grant and recommended allowing 60 days to comply.

Judge Hull found in favor of the City and ordered compliance within 60 days or a fine of \$100 per day.

Case: CE06070826

Sonya Gomez
819 Northwest 4th Avenue

Hearing to Impose Fine

Supervisor Murray stated that a man claiming to be the owner of the property had signed in, but could not produce identification, so the City was recommending the case be rescheduled for the March hearing.

Judge Hull granted an extension to the March 26, 2007 hearing so no fines would accrue.

Case: CE06070767

Hearing to Impose Fine

REO Asset Management
824 Northwest 1st Avenue

Supervisor Murray stated that this case was first heard on 9/25/06 with compliance ordered by 11/24/06: 1 section at \$100 per day. An extension had been granted from 12/18/06 to 2/2/07. The property was not complied and the City was requesting imposition of a \$4,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$4,700 fine with fines continuing.

Case: CE06070773

Hearing to Impose Fine

REO Asset Management
840 Northwest 3rd Avenue

Supervisor Murray stated that this case was first heard on 9/25/06 with compliance ordered by 11/24/06: 1 section at \$100 per day. An extension had been granted from 12/18/06 to 2/2/07. The property was not complied and the City was requesting imposition of a \$4,700 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$4,700 fine with fines continuing.

Case: CE06070906

Hearing to Impose Fine

Corbel Cooper
925 Northwest 2nd Avenue

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$6,000 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$6,000 fine with fines continuing.

Case: CE06070703

Hearing to Impose Fine

Antoinette Walker
929 Northwest 8th Avenue

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 12/27/06: 1 section at \$100 per day. An extension had been granted from 1/22/07 to 2/22/07. The property was complied on 1/29/07 and the City was recommending imposition of a \$250 fine [reduced from \$2,500].

Judge Hull imposed the \$250 fine.

Case: CE06101014

Hearing to Impose Fine

Antoinette Walker
1410 Northwest 19th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was complied on 1/29/07 and the City was recommending imposition of a \$250 fine [reduced from \$1,100].

Judge Hull imposed a \$250 fine.

Case: CE06100753

Hearing to Impose Fine

Felix & Pamela Cruz
1420 Northwest 15th Terrace

Supervisor Murray stated that this case was first heard on 11/27/06 with compliance ordered by 1/26/07: 1 section at \$100 per day. The property was complied on 2/15/07 and the City was recommending a \$250 fine be imposed [reduced from \$1,900].

Judge Hull imposed a \$250 fine.

Case: CE06100703

Hearing to Impose Fine

Dave Bartley
1519 Northwest 15th Avenue

Supervisor Murray stated that this case was first heard on 12/28/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Case: CE06100916

Hearing to Impose Fine

Dustin Pisani
1527 Northwest 14th Street

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Case: CE06100831

Hearing to Impose Fine

Marie Ireland
1533 Northwest 19th Avenue

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Case: CE06100938

Hearing to Impose Fine

Hazel Roberson Estate
1551 Northwest 10th Place

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Case: CE06100748

Hearing to Impose Fine

O.F. & Rosalie Cooper
1604 Northwest 15th Place

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was complied and the City was recommending no fine be imposed [reduced from \$600].

Judge Hull imposed no fine.

Case: CE06100808

Hearing to Impose Fine

Angela Barber
1711 Lauderdale Manors Drive

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Case: CE06100911

Hearing to Impose Fine

Levan Parchment
1727 Lauderdale Manors Drive

Supervisor Murray stated that this case was first heard on 12/18/06 with compliance ordered by 1/17/07: 1 section at \$100 per day. The property was not complied and the City was requesting imposition of a \$3,900 fine and its continued accrual until the property was complied.

Judge Hull imposed the \$3,900 fine with fines continuing.

Cases Complied

Supervisor Murray 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:

CE06121109

Cases Pending Service

Supervisor Murray 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:

CE07010449
CE06100728

CE06100745

CE06101006

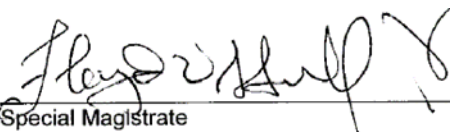
CE06100828

Cases Withdrawn


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

CE06100677

There being no further business, the hearing was adjourned at 11:40 a.m.


Special Magistrate

ATTEST:


Clerk, Special Magistrate