

SPECIAL MAGISTRATE HEARING

MINUTES

MAY 13, 2015

10:00 A.M.

PRESENT

Herbert E. Langford, Jr., Special Magistrate
Wayne Saunders, City Manager
Andrew Dickman, City Attorney
Jennifer Bryla, Community Development Department Director
Bruce Cooper, Building Code Administrator
Mary Jo Murphy, Deputy City Clerk
Joanne Boland, Parking Permits
Chris Kohmann, Code Enforcement Officer

1. CALL TO ORDER

Special Magistrate Langford called the City of St. Pete Beach Code Enforcement hearing to order at 10:06 a.m.

Special Magistrate Langford stated that there were several cases on the agenda, but the City had elected to withdraw or postpone the code violation hearings and hear only one item on the agenda, Case #20110112.

Special Magistrate Langford confirmed with City Attorney Dickman that he was withdrawing the cases from the docket, and City Attorney Dickman responded correct. Special Magistrate Langford had no objection.

In regard to continuing the cases, City Attorney Dickman stated there was no date certain at this point, but he would coordinate dates with Special Magistrate Langford's office.

2. ADMINISTRATION OF OATH TO DEFENDANTS AND WITNESSES

Special Magistrate Langford administered the oath or affirmation to persons who were going to testify regarding Case #20120012.

3. CASES

Case # 20110112: 453 85th Avenue
City of St. Pete Beach v. Christopher J. O'Connell
Request for fee reduction. (E-mail Correspondence)

Mr. Edward J. Gayton, III, 770 115th Avenue, Treasure Island, Florida 33706, appeared on behalf of Christopher J. O'Connell in regard to Case #20120012.

City Attorney Dickman gave background history in regard to the case and stated that Mr. O'Connell was informed to provide the Special Magistrate information that Mr. Gayton was authorized to speak on his behalf.

Mr. Gayton had no information, evidence or documentation to present on behalf of Mr. O'Connell.

City Attorney Dickman stated all the code violations had been rectified in regard to the case and the lien amount is \$273,000. Mr. Dickman did not have any information in regard to property taxes.

At this time Ms. Jennifer Bryla, Community Development Director, was sworn in by Special Magistrate Langford.

Ms. Bryla stated she had spoken, via telephone and e-mail, with the potential buyer and sent him a City ordinance and an authorization document for someone to appear on his behalf if he could not appear.

City Attorney Dickman stated a judgement was filed, a foreclosure is in process and a short sale is pending. Mr. Dickman added the City had no objection to a fee reduction as long as the City is protected in the event the short sale does not occur.

At 10:37 a.m. Special Magistrate Langford requested a short recess. Special Magistrate Langford instructed City staff to go to the tax collector website and obtain relevant information to the case.

At 10:50 a.m. the hearing reconvened. City Attorney Dickman reported the following to the Special Magistrate: The taxes for 2014 are paid.

Special Magistrate Langford informed Mr. Gayton that he did not have enough information, and the case was denied without prejudice.

Case # 20140005: 403 39th Avenue

City of St. Pete Beach v. Dewain Farris

Violation of City Code of Ordinances, Section 98-66 (b) 18, declares any such standing/stagnate water to be a public nuisance.

Case #20140005 was withdrawn.

Case # 20150002: 562 Belle Point Drive

City of St. Pete Beach v. Geraldine F. Kelly

Violation of City Code of Ordinances, Section 98-66 (b) 18, declares any such standing/stagnate water to be a public nuisance.

Violation of City Code of Ordinances, Section 46-33 a (1), untended growth of vegetative matter; i.e., grass or weeds which requires removing, mowing and maintaining.

Case #20150002 was withdrawn.

Case # 20150004: 8240 Gulf Blvd

City of St. Pete Beach v. Carl and Nancy Lense

Violation of City Code of Ordinances, Section 46-33 a (1), untended growth of vegetative matter; i.e., grass or weeds which requires removing, mowing and maintaining.

Case #20150004 was withdrawn.

Case # 20150007: 3207 E Debazan

City of St. Pete Beach v. USA Federal National Mortgage Company

Violation of City Code of Ordinances, Section 46-33 a (1), untended growth of vegetative matter; i.e., grass or weed which requires removing, mowing and maintaining.

Case #20150007 was withdrawn.

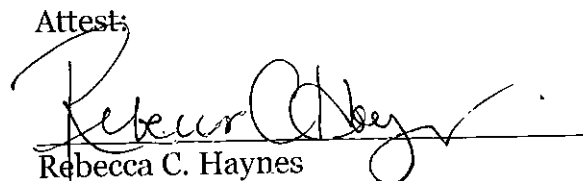
4. OTHER DISCUSSION

There was no discussion.

5. ADJOURNMENT

There being no further business to come before the Special Magistrate, the hearing was adjourned at 11:20 a.m.

Attest;


Rebecca C. Haynes
City Clerk