

1 TOWN OF PONCE INLET
2 **CODE ENFORCEMENT BOARD**
3 **HEARING MINUTES**
4 **January 25, 2021**

5
6 **1. CALL TO ORDER:** The meeting was called to order at 9:30 a.m. in the Council
7 Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida.

8
9 **2. PLEDGE OF ALLEGIANCE:** Chairman Villanella led attendees in the Pledge of
10 Allegiance.

11
12 **3. ROLL CALL & DETERMINATION OF QUORUM:** A quorum was established with
13 the following members present:

14 Mr. Hinson, Seat 1
15 Mr. Villanella, Seat 2
16 Mr. Finch, Seat 3
17 Mr. Michel, Seat 4
18 Ms. Cannon, Seat 5
19 Ms. Bullock, Alternate 1

20
21 Staff present:

22 Attorney Cino, Code Board Attorney
23 Mr. Disher, Assistant Director, Planning & Development Department
24 Mr. Hooker, Code Compliance Manager
25 Ms. Hunt, Assistant Deputy Clerk
26 Attorney Schumer, Town Attorney

27
28 A. Oath of Office: *Attorney Cino administered the Oath of Office to Mr. Finch and*
29 *Ms. Bullock.*

30
31 B. Election of Chair: *Mr. Hinson moved to elect Joe Villanella as Chairman and Pete*
32 *Finch as Vice-Chairman and to close nominations; seconded by Ms. Cannon. The motion PASSED*
33 *5-0, consensus.*

34
35 C. Election of Vice-Chair: *See item B, above.*

36
37 **4. ADOPTION OF THE AGENDA:** Chairman Villanella asked if there were any changes
38 to the agenda; there were none.

39
40 *Mr. Michel moved to adopt the agenda as presented; seconded by Vice-Chair Finch. The motion*
41 *PASSED 5-0, consensus.*

42
43 **5. EX-PARTE COMMUNICATION:** *None.*

44
45 **6. ADMINISTERING THE OATH TO WITNESSES:** Attorney Cino administered the
46 *Oath* to witnesses who were present to testify (Mr. Hooker).

48 **7. APPROVAL OF THE MINUTES:**

49
50 A. November 16, 2020 – Chairman Villanella asked if there were any changes; there
51 were none.

52
53 Ms. Cannon moved to approve the November 16, 2020 hearing minutes as presented; seconded by
54 Vice-Chair Finch. The motion PASSED 5-0, with the following vote: Mr. Hinson - yes; Chairman
55 Villanella - yes; Vice-Chairman Finch - yes; Mr. Michel - yes; Ms. Cannon - yes.

56
57 **8. OLD BUSINESS:**

58
59 A. Case # 2020-426; Property Address: 4453 South Atlantic Avenue # 4030
60 Owner(s): Jose Arias
61 Violation(s): Advertisement of rental unit without valid permit

62
63 Mr. Hooker reviewed the history of the case and reported that the property owner came into
64 compliance on November 20, 2020. Chairman Villanella asked if there was anyone present to
65 speak on this case; there was not.

66
67 Vice-Chairman Finch moved to find the property was in non-compliance, is now in compliance
68 and to dismiss the case; seconded by Mr. Hinson. The motion PASSED 5-0, with the following
69 vote: Mr. Hinson - yes; Chairman Villanella - yes; Vice-Chairman Finch - yes; Mr. Michel - yes;
70 Ms. Cannon - yes.

71
72 B. Case # 2020-427; Property Address: 4453 South Atlantic Avenue # 4110
73 Owner(s): Randy Anderson
74 Violation(s): Advertisement of rental unit without valid permit

75
76 Mr. Hooker reviewed the history of the case and reported that the property was brought into
77 compliance on November 17, 2020. Chairman Villanella asked if there was anyone present to
78 speak on this case; there was not.

79
80 Vice-Chairman Finch moved to find the property was in non-compliance, is now in compliance
81 and to dismiss the case; seconded by Chairman Villanella. The motion PASSED 5-0 with the
82 following vote: Mr. Hinson - yes; Chairman Villanella - yes; Vice-Chairman Finch - yes; Mr.
83 Michel - yes; Ms. Cannon - yes.

84
85 C. Case # 2020-428; Property Address: 4453 South Atlantic Avenue # 5040
86 Owner(s): Anthony Filardo
87 Violation(s): Advertisement of rental unit without valid permit

88
89 Mr. Hooker reviewed the history of the case and reported that the property remains in non-
90 compliance; there has been no contact with the property owner, and he confirmed the certified
91 letters have been received by the owner. Chairman Villanella asked if there was anyone present to
92 speak on this case; there was not.

93
94 Vice-Chairman Finch moved to find the property in non-compliance, impose a \$50/day fine
95 effective today, and to assess the \$250.00 Administrative Fee; seconded by Mr. Michel. The motion

96 PASSED 5-0 with the following vote: Mr. Hinson - yes; Chairman Villanella - yes; Vice-Chairman
97 Finch - yes; Mr. Michel - yes; Ms. Cannon - yes.

98
99 D. Case # 2020-437; Property Address: 4453 South Atlantic Avenue # 7060
100 Owner(s): Jason Debono
101 Violation(s): Advertisement of rental unit without valid permit
102

103 Mr. Hooker reviewed the history of the case and reported that the property owner obtained the
104 rental permit on November 19th but has not paid the \$250 Administrative Fee. Chairman Villanella
105 asked if there was anyone present to speak on this case; there was not.
106

107 Vice-Chairman Finch moved to find the property in was in non-compliance, is now in partial
108 compliance except for payment of the \$250.00 Administrative Fee; seconded by Ms. Cannon. The
109 motion PASSED 5-0 with the following vote: Mr. Hinson - yes; Chairman Villanella - yes; Vice-
110 Chairman Finch - yes; Mr. Michel - yes; Ms. Cannon - yes.

111
112 **9. NEW BUSINESS:**

113
114 A. Boardmember Annual Training: Sunshine Law, Public Records, Quasi-Judicial
115 Procedures, and Ethics - Attorney Cino reviewed the materials; there were no questions.
116

117 **10. ATTORNEY DISCUSSION:** None.

118
119 **11. BOARD/STAFF DISCUSSION:**

120
121 A. 2021 Hearing Dates - Ms. Hunt provided a memorandum outlining the hearing
122 dates for 2021 and noted that two hearing dates have been changed due to holidays: November
123 22nd has been changed to November 15th and December 27th has been changed to December 20th.
124

125 B. Volusia / Flagler Association of Code Enforcement update - Mr. Hooker stated that
126 the training class on human trafficking was attended by law enforcement, code enforcement, and
127 attorneys. He stated that anyone wishing to attend these trainings should let him know.
128

129 Mr. Hinson thanked the board for excusing his absence from the November meeting.
130

131 **12. ADJOURNMENT:** The hearing was adjourned at 9:59 AM.

132
133 Respectfully submitted by,

134
135 Peg Hunt

136 Peg Hunt, Assistant Deputy Clerk