



TOWN OF PONCE INLET
CODE ENFORCEMENT BOARD
REGULAR MEETING MINUTES
February 22, 2016

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2 **1. CALL TO ORDER:** Chairman Villanella called the meeting to order at 9:35 am in
3 the Town Council Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida.

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5 **2. PLEDGE OF ALLEGIANCE:** Chairman Villanella led the attendees in the
6 Pledge of Allegiance.

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8 **3. ROLL CALL & DETERMINATION OF QUORUM:**

9 Board members present:	Board members absent:
10 Mr. Hinson	None
11 Mr. Villanella	
12 Mr. Finch	
13 Ms. DiCarlo	
14 Mr. Michel	
15 Ms. Kellum	
16 Mr. Irvin	

17 A quorum was established with seven Board members present.

18
19 Staff Members Present:
20 Mr. Bailey, Chief Building Official/CFPM
21 Attorney Cino, Code Board Attorney
22 Ms. Hunt, Board Secretary
23 Attorney Smith, Town Attorney

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25 **4. ADOPTION OF THE AGENDA:** Ms. DiCarlo moved to adopt the agenda as
26 presented, seconded by Ms. Kellum. This motion PASSED 7-0, roll-call vote.

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28 **5. EX-PARTE COMMUNICATION:** Ms. DiCarlo stated she met with Mr. Bailey
29 regarding the property rental program, but it was not property-specific.

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31 **6. ADMINISTERING THE OATH TO WITNESSES:** Attorney Cino administered the
32 Oath to testifying witnesses.

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

35 a. January 25, 2016 – Mr. Hinson moved to approve the January 25, 2016
36 meeting minutes as presented, seconded by Ms. Kellum. This motion PASSED 7-0,
37 roll-call vote.

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39 **8. CONSENT AGENDA:** *None*

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41 **9. OLD BUSINESS:**

42 a) Case #42157; violation address: 64 Aurora Avenue
43 Owner(s): Harold & Jacqueline Knopp
44 Violation: Property maintenance issues involving lot or dwelling
45 Attorney Smith reviewed the case. Mr. Bailey stated the property is not in compliance
46 with the Board's order and the property is vacant. Mr. Michel asked how service is
47 completed if no one lives there. Mr. Bailey explained that notices are sent certified mail,

48 1st class mail, the property is posted, and a notice is posted at town hall – as per statute.
49 A discussion ensued regarding how high or low the fine should be, if one, since the
50 owners are experiencing family issues. Mr. Hinson stated that the Board can't set fines
51 based on “feelings” and that its job is to determine if a violation exists and to impose a
52 fine. Attorney Smith and Attorney Cino concurred.

53
54 Chairman Villanella asked if there was anyone present to speak on this matter. There
55 was not.

56
57 Mr. Michel moved to impose a fine of \$50 per day, to accrue until violation is corrected,
58 seconded by Vice-Chairman Finch. This motion FAILED 3(yes)-4(no), with Mr. Hinson,
59 Chairman Villanella, Ms. DiCarlo and Ms. Kellum dissenting.

60 A brief discussion ensued. Vice-Chairman Finch moved the impose a fine of \$100 per
61 day, to accrue until violation is corrected, seconded by Chairman Villanella. This motion
62 PASSED 5-2, with Ms. DiCarlo and Mr. Michel dissenting.

63
64 b) Case #42253; violation address: 92 Maura Terrace
65 Owner(s): George & Helen Savas
66 Violation: Property maintenance issues involving lot or dwelling (fence)

67 Attorney Smith reviewed the case. Mr. Bailey stated the property is not in compliance
68 with the Board's order and this case is similar to the one just heard. Chairman Villanella
69 asked if there was anyone present to speak on this matter. There was not.

70
71 Ms. Kellum moved to find the property in non-compliance and to impose a fine of \$100
72 per day to accrue until the violation is corrected, seconded by Mr. Michel. This motion
73 was APPROVED 7-0.

74

75 **10. NEW BUSINESS:**

76 a) Case #43095; violation address: 30 Inlet Harbor Rd., #104
77 Owner(s): Carmela Maglifore
78 Violation: Failure to renew rental permit

79 Attorney Smith introduced the case and Mr. Bailey provided testimony and evidence.
80 He reported that the Respondent has renewed her rental permit therefore the property
81 is now in compliance. Chairman Villanella opened public comment by asking if there
82 was anyone present to speak on this matter; there was not. Chairman Villanella closed
83 public comment.

84
85 Vice-Chairman Finch moved to find that regarding case #43095, an Order be issued
86 finding the property was in non-compliance, is now in compliance, and to dismiss the
87 case, seconded by Ms. DiCarlo. This motion was APPROVED 7-0, roll-call vote.

88
89 b) Case #43104; violation address: 4898 S Peninsula Drive
90 Owner(s): Kenneth & Rhonda Williams
91 Violation: Failure to renew rental permit

92 Attorney Smith introduced the case and Mr. Bailey provided testimony. He reported that
93 the Respondents have renewed their annual rental permit therefore the property is now
94 in compliance. Chairman Villanella opened public comment by asking if there was
95 anyone present to speak on this matter; there was not. Chairman Villanella closed
96 public comment.

97 Mr. Michel moved to find that regarding case #43104, an Order be issued finding the
98 property was in non-compliance, is now in compliance, and to dismiss the case,
99 seconded by Vice-Chairman Finch. This motion was APPROVED 7-0, roll-call vote.

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101 c) Case #43119; violation address: 43 Marie Drive
102 Owner(s): Mathew Shaw
103 Violation: Failure to renew rental permit
104 Not heard; this case was withdrawn by the Town.

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106 d) Case #43136; violation address: 4670 Links Village Dr., #A307
107 Owner(s): Steven & Pauline Damiani
108 Violation: Failure to renew rental permit

109 Attorney Smith introduced the case and Mr. Bailey provided testimony. He reported that
110 the Respondents have renewed their annual rental permit therefore the property is now
111 in compliance. Chairman Villanella opened public comment by asking if there was
112 anyone present to speak on this matter; there was not. Chairman Villanella closed
113 public comment.

114
115 Ms. Kellum moved to find that regarding case #43136, an Order be issued finding the
116 property was in non-compliance, is now in compliance, and to dismiss the case,
117 seconded by Ms. DiCarlo. This motion was APPROVED 7-0, roll-call vote.

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119 e) Case #43146; violation address: 4752 S Atlantic Ave, #16
120 Owner(s): Gerald Ramming
121 Violation: Failure to renew rental permit
122 Not heard; this case was withdrawn by the Town.

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124 **11. ATTORNEY DISCUSSION:** Attorney Cino briefly reviewed AGO 86-76.

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126 **12. BOARD DISCUSSION:** None

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128 **13. ADJOURNMENT:** With no further discussion, the meeting was adjourned at
129 10:25 am.

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131 Respectfully submitted,

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136 _____
Peg Hunt, Town Board Secretary