

**CODE ENFORCEMENT BOARD
MEETING
NOVEMBER 19, 2019**

MEMBERS PRESENT: Henry Bauman, Acting Chairman
Nora Giardina, Timothy Heggan,
Carol Perry, Edward Weiner

MEMBERS ABSENT: John Chalifoux, Paul Sacilotto

OTHERS PRESENT: City Attorney David Levin
Lisa Hannon, Zoning Official
David McCarty, Code Compliance Supervisor
Lavosia Price, Allen McDaniel, Nick Falkner, Code Compliance Officers
Jennifer Daumann, Code Compliance Officer/Executive Assistant
Lawrence Raifsnider, Alvaro Gabaldon,
Douglas Plattner, Kevin Clover, James Thomson,
Barbara Castro, Sharon Rommel, Michael Caliendo,
Bruce Masalcas, Renae Skelly, Laura Roberts

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
 - 1. December 17, 2019

APPROVAL OF MINUTES

- A. October 25, 2019
 - Ms. Giradina MOVED, Ms. Perry SECONDED approval of the October 25, 2019 minutes.
MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS

- Recording Secretary Pues swore in all participants.
- A. 19-73939 - CODE COMPLIANCE OFFICER – NICK FALKNER
 - Respondent: Lawrence E. Raifsnider, Trustee
 - Address of Violation: 442 Scarlet Sage
 - Violation of Chapter 26, Section 3.13 (m) (2) Prohibited Fences Violation of Chapter 26, Section 1.4; and Violation of Chapter 26, Section 1.5; and Violation of Chapter 26, Section 1.10 No permit
 - City Attorney David Levin explained Violation of Chapter 26, Section 3.13 (m) (2) was dismissed from the case since the structure was determined not to be a fence; however, the additional violations remained.
 - Mr. Nick Falkner, Code Compliance Officer, displayed several photographs of the subject property, located within City limits, stating a September 4, 2019, inspection found an unpermitted structure composed of fencing material located in the front of the yard

within the right-of-way (ROW). He reviewed the City's efforts to bring the property into compliance, noting inspections on September 13, 2019, September 23, 2019, and November 18, 2019, found the violations remained. He then submitted an invoice for case costs incurred in the amount of \$19.25.

- Mr. Heggan MOVED, Ms. Giardina SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Lawrence Raifsnider, respondent, entered a plea of not guilty. He then questioned why the case still stated fencing material when the structure was determined not to be a fence.
- City Attorney Levin explained "fencing material" was used to describe the type of material the structure was made of, reiterating the remaining violations were applicable regardless of the material utilized for the structure.
- Mr. Raifsnider disagreed, stating documentation from the manufacturer indicated the material was landscape décor held together by six spikes in the ground. He then distributed documentation containing the research he had performed which included an overhead view of his property, questioning where the ROW was located.
- City Attorney Levin noted Mr. David McCarty, Code Compliance Supervisor, would clarify the ROW location after Mr. Raifsnider finished his presentation. He then reiterated the material was a structure by definition according to the Punta Gorda Code, confirming that same was attached to the ground.
- Mr. Raifsnider continued his presentation, opining the photographs revealed his landscaping was within the property line rather than within the ROW. He then questioned whether the surrounding properties were permitted to have the existing structures in their yard.
- Ms. Giardina responded the other properties were not relevant to the violation.
- Ms. Lisa Hannon, Zoning Official, offered to research those properties to verify whether there were any violations if Mr. Raifsnider provided the addresses.
- City Attorney Levin confirmed Mr. Raifsnider had installed his structure in August 2019.
- Mr. McCarty then displayed an overhead view of the subject property's ROW, noting the property line and telephone pole were next to each other.
- Mr. Heggan questioned whether the structure could be relocated behind the poles.
- City Attorney Levin explained the purpose of the hearing was to determine whether there was a violation and issue an order of corrective action.
- A lengthy discussion ensued regarding the definition of structures and the location of structures within the ROW.

- Ms. Giardina MOVED, Ms. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 30 days and to require payment of case costs incurred in the amount of \$19.25 within 10 days, subject to a fine of \$250 per day plus applicable interest.
- Mr. Weiner requested the motion be changed to 24 hours since the material was simple to remove as stated by Mr. Raifsnider.
- Ms. Giardina stated 30 days would allow the respondent to apply for a permit and to determine what was and was not in the ROW.
- VOTING AYE: Bauman, Giardina, Perry.
- VOTING NAY: Heggan, Weiner.
- MOTION CARRIED.

B. 19-72867 - CODE COMPLIANCE OFFICER – JENNIFER DAUMANN

Respondent: Sunloft, LLC % CAM Realty

Registered Agent: Cheryl Maymon

Address of Violation: 201 West Marion Avenue

Violation of Chapter 26, Section 8.11 (a) Dirty Wall

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
- Ms. Jennifer Daumann, Code Compliance Officer/Executive Assistant, displayed several photographs of the subject property, located within City limits, stating a July 5, 2019, inspection found more than 20 percent of the exterior wall was not maintained as to be free from dirt or mold, especially the wall facing toward West Olympia Avenue. She reviewed the City's efforts to bring the property into compliance, noting inspections on August 14, 2019, October 2, 2019, and November 18, 2019, found the violations remained. She then submitted an invoice for case costs incurred in the amount of \$12.
- Mr. Heggan MOVED, Ms. Perry SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Heggan questioned whether there had been any contact with the respondent.
- Ms. Daumann replied contact was made on July 9, 2019 and August 26, 2019 with the registered agent who requested 30 days to find a contractor, noting there had been no contact since that time.
- Mr. Weiner MOVED, Mr. Heggan SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 20 days and to require payment of case costs incurred in the amount of \$12 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

C. 19-73334 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE, JR.

Respondents: Karen K. & Alvaro J. Gabaldon

Address of Violation: 301 West William Street

Violation of Chapter 26, Section 3.13 (m) (5); and Violation of Chapter 9, Section 9-12 (f) Fence in Disrepair Violation of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds Violation of Chapter 9, Section 9-2 (a) Outdoor Storage

- Mr. Alvaro Gabaldon entered a plea of not guilty.
- Mr. Lavosia Price, Code Compliance Officer, displayed several photographs of the subject property, located within City limits, stating an August 12, 2019, inspection found a fence in disrepair, tall grass and/or weeds in excess of 12 inches in height and outside storage on the property. He noted violation of Chapter 26, Section 3.13 (m) (5) was originally included; however, the Code was found not to be applicable to the subject property. He reviewed the City's efforts to bring the property into compliance, noting an inspection on October 2, 2019, found the violations remained; however, an inspection on November 18, 2019, found the tall grass and/or weeds were maintained, but the additional violations remained. He then submitted an invoice for case costs incurred in the amount of \$19.85.
- Mr. Heggan MOVED, Ms. Giardina SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Gabaldon explained he was building a house on the property, adding he would be ready to submit for a building permit in approximately three weeks. He stated the concrete blocks would be used for landscaping purposes, opining things would improve within a month. He stated he had been working closely with staff to correct violations as needed, concluding the violations were not intentional.
- City Attorney Levin questioned why the fence had not been removed.
- Mr. Gabaldon replied the neighbor's yard had overgrown vegetation which prevented access in order to remove same, noting that fact had been communicated to the inspector.
- City Attorney Levin pointed out Mr. Gabaldon was responsible for contacting the neighbor. He suggested a violation be found and that the respondent be given enough time to correct same.
- Mr. Heggan questioned whether 30 days would be sufficient to remove the fence and submit for a building permit.
- Mr. Gabaldon responded affirmatively.

- City Attorney Levin noted the respondent had already been given a continuance, suggesting conditions be included in the motion to bring the respondent closer to compliance.
 - Ms. Giradina MOVED, Mr. Heggan SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 45 days and to require payment of case costs incurred in the amount of \$19.85 within 10 days, subject to a fine of \$250 per day plus applicable interest.
 - Ms. Perry confirmed the respondent needed to secure a building permit within 45 days.
 - Discussion ensued regarding the City's permitting process.
 - VOTING AYE: Bauman, Giardina, Heggan, Perry.
 - VOTING NAY: Weiner.
 - MOTION CARRIED.
- D. 19-72403 - CODE COMPLIANCE OFFICER – LAVOSIA PRICE, JR.
 Respondents: Anthony R. & Michelle Gray
 Address of Violation: 89 Colony Point Drive
 Violation of Chapter 6, Section 6-7 (d) Maintenance of Seawalls; and Violation of Chapter 26, Section 8.13 (a) Seawall in Disrepair
- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
 - Mr. Price displayed several photographs of the subject property, located within City limits, stating a June 6, 2019, inspection found holes in the ground near the seawall. He reviewed the City's efforts to bring the property into compliance, noting an inspection on October 11, 2019, found the holes had been covered; however, they had not been filled to grade level with the seawall cap. He stated an inspection on November 18, 2019, found the violation remained. He then submitted an invoice for case costs incurred in the amount of \$26.41.
 - Mr. Heggan MOVED, Ms. Perry SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
 - Ms. Perry confirmed contact with the respondent had not been made since September 30, 2019.
 - Mr. Weiner MOVED, Mr. Heggan SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to order the property be brought into compliance within 10 days and to require payment of case costs incurred in the amount of \$26.41 within 10 days, subject to a fine of \$250 per day plus applicable interest.
 - MOTION CARRIED UNANIMOUSLY.

E. HEARING IMPOSING PENALTY REPEAT VIOLATION 19-74325 – CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Winter Park Dodge, Inc.

Registered Agent: Douglas D. Plattner

Address of Violation: 1601 Tamiami Trail

Violation of Chapter 26, Section 8.11 (e) Maintenance – Wild Overgrowth

- Mr. Douglas Plattner, respondent, entered a plea of not guilty.
- Mr. Allen McDaniel, Code Compliance Officer, provided a brief history of the Cease & Desist Order issued to the respondent on March 23, 2016. He then displayed several photographs of the subject property, located within City limits, stating an October 8, 2019, inspection found dead landscaping and landscaping debris throughout the property; therefore, the property was in repeat violation. He reviewed the City's efforts to bring the property into compliance, noting an inspection on November 18, 2019, found the violation remained. He concluded the property had been in repeat violation for 42 days of noncompliance and submitted an invoice for case cost incurred in the amount of \$19.06.
- Ms. Perry MOVED, Mr. Heggan SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Plattner acknowledged the violations, noting same was taken care of immediately after being notified. He confirmed he had a landscaping company which maintained the property, adding the property had been reopened to the public as of the previous date.
- City Attorney Levin questioned whether the dead palm fronds had been removed.
- Mr. Plattner replied with uncertainty.
- Mr. McDaniel displayed photographs which had been taken the previous date, pointing out the dead palm tree fronds throughout the property.
- Discussion ensued regarding the previous and current conditions of the property.
- Mr. Kevin Clover stated he was responsible for maintenance of the property, noting he had been continuously working on the property and picked up palm fronds many times. He stated they were starting at the front of the property and working their way back.
- Mr. Bauman opined the palm trees were easily maintained, confirming the fronds photographed were dead and should be removed.
- Mr. Plattner assured Board members the fronds would be taken care of.
- Ms. Perry MOVED, Ms. Giardina SECONDED to find the respondent in repeat violation, to impose a fine of \$0, representing a fine of \$0 per day for 42 days, and to require payment of total case costs incurred in the amount of \$19.06.

- VOTING AYE: Bauman, Giardina, Perry.

- VOTING NAY: Heggan, Weiner.

- MOTION CARRIED.

F. 19-74137 – CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Dante A. & Joyce E. Scaccianoce

Address of Violation: 1457 Surfbird Court

Violation of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.

- Mr. McDaniel displayed several photographs of the subject property, located within City limits, stating an October 4, 2019, inspection found tall grass and/or weeds on the right side of the property. He reviewed the City's efforts to bring the property into compliance, noting as of November 18, 2019, the violations were corrected. He requested a Cease and Desist Order for future violations and submitted an invoice for case costs incurred in the amount of \$12.

- Ms. Giardina MOVED, Mr. Heggan SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.

- Mr. Heggan questioned whether there was any contact with the respondents.

- Mr. McDaniel replied affirmatively.

- Mr. Heggan MOVED, Mr. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations and to require payment of case costs incurred in the amount of \$12 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

G. 19-74273 – CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: James Matthew Clark

Address of Violation: 1630 Via Bianca

Violation of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.

- Mr. McDaniel displayed several photographs of the subject property, located within City limits, stating an October 16, 2019, inspection found tall grass and/or weeds throughout the landscape areas on the property. He reviewed the City's efforts to bring the property into compliance, noting as of November 18, 2019, the violation had been corrected. He requested a Cease and Desist Order for future violations and submitted an invoice for case costs incurred in the amount of \$17.51.

- Ms. Perry MOVED, Mr. Heggan SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.

- Mr. McDaniel confirmed there had been no contact between the homeowner and staff.
- Mr. Heggan MOVED, Ms. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to require payment of case costs incurred in the amount of \$17.51 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

H. 19-74243 – CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: JMI Trust, LLC

Address of Violation: 3010 Amanda Street

Violation of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
- Mr. Falkner displayed several photographs of the subject property, located within City limits, stating an October 2, 2019, inspection found tall grass and/or weeds along the property. He reviewed the City’s efforts to bring the property into compliance, noting as of November 18, 2019, the violation had been corrected. He requested a Cease and Desist Order for future violations and submitted an invoice for case costs incurred in the amount of \$12.
- Mr. Heggan MOVED, Ms. Perry SECONDED the City had presented a prima facie case. MOTION CARRIED UNANIMOUSLY.
- Mr. Heggan MOVED, Ms. Giardina SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to require payment of case costs incurred in the amount of \$12 within 10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

I. ***19-74031 - ZONING OFFICIAL - LISA HANNON

Respondents: Robert F Marriott Trustee

Address of Violation: 295 Belaire Court

Violation of Chapter 9, Section 9-2(g) and Section 9-4(d), Violation of Chapter 9A, Section 9A-6(d) and Section 9A-8(d), Detrimental Condition of the Property

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
- Ms. Lisa Hannon, Zoning Official, displayed video footage of the subject property, located within City limits, stating on September 11, 2019, Mr. James Thomson had submitted a sworn affidavit and provided video footage of rats on the property. She reviewed the City’s efforts to bring the property into compliance, noting on September 16, 2019, Mr. Thomson submitted additional video footage revealing the violation remained. She then submitted an invoice for case costs incurred in the amount of \$21.26.

- Mr. Thomson confirmed the videos were a true and accurate depiction of the scene as recorded at the time, verifying the property was estimated to have been vacant for more than 10 years.
- City Attorney Levin explained the case was based on the residents' testimony and affidavit, noting that although the City had not presented the case, a prima facie case would need to be established.
- Ms. Giardina MOVED, Mr. Heggan SECONDED a prima facie case had been presented. MOTION CARRIED UNANIMOUSLY.
- Mr. Thompson provided a summary of the safety concerns caused by the rat infestation to his and the neighboring properties. He acknowledged rats were a possibility when living in a waterfront community; however, not in the abundance that was present.
- Ms. Barbara Castro reiterated Mr. Thompson's comments regarding the large number of rats on the property, requesting the City take action.
- City Attorney Levin noted the City had initiated foreclosure action related to numerous violations and fines on the property, noting the case brought forth this date was to address the rat infestation. He clarified the request was for the Board to allow the City to enter the property to abate the infestation if they concluded there was indeed a rat infestation.
- Ms. Sharon Rommel opined the City was partially at fault for allowing the violations to continue, which in turn caused the infestation.
- Mr. Michael Caliendo asserted residents had spent large amounts of money on exterminating the rats, adding same should not be the responsibility of the surrounding property owners.
- Mr. Bruce Masalcas summarized property owners wanted the City to take responsibility for the subject property.
- Mses. Renae Skelly and Laura Roberts asserted the rats had damaged their properties, requesting the City exterminate the rodents.
- A lengthy discussion ensued regarding the actions the City could take during the foreclosure process.
- City Attorney Levin reiterated the City was actively pursuing foreclosure.
- Mr. Heggan MOVED, Ms. Perry SECONDED to find the respondent guilty, to issue a Cease & Desist Order for any future violations, to authorize the City Council to enter upon the private property to abate the rat infestation; to charge the respondent with reasonable costs of abating the violation; to pay case costs incurred in the amount of \$21.26 within

10 days, subject to a fine of \$250 per day plus applicable interest. MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS

A. HEARING IMPOSING PENALTY 19-73677 – CODE COMPLIANCE OFFICER – ALLEN MCDANIEL

Respondent: Ariel Popper

Address of Violation: 233 Harvey Street

Violations of Chapter 9, Section 9-2 (h) Tall Grass and/or Weeds; and Chapter 26, Section 8.11 (e) Maintenance – Wild Overgrowth.

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
- Mr. McDaniel provided a brief history of the Compliance Order issued to the respondent on September 25, 2019, stating an October 1, 2019, inspection found corrective action ordered by the Board had not been taken in that tall grass and/or weeds as well as overgrowth of plants, trees and shrubs remained throughout the property. He then displayed several photographs of the subject property, located within City limits, and reviewed the City's efforts to bring the property into compliance, noting an inspection on November 18, 2019, found the violations remained. He concluded the property had been in noncompliance for 49 days, submitting an invoice for case costs incurred in the amount of \$43.43.
- Mr. Heggan confirmed no contact had been made with the respondent.
- Ms. Weiner MOVED, Mr. Heggan SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$12,250, representing \$250 per day for 49 days plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$43.43.
- VOTING AYE: Heggan, Giardina, Perry, Weiner.
- VOTING NAY: Bauman.
- MOTION CARRIED.

B. HEARING IMPOSING PENALTY 19-72234 – CODE COMPLIANCE OFFICER – JENNIFER DAUMANN

Respondents: Ruth C. Hamilton

Representative: Gregor Hamilton

Address of Violation: 207 E Marion Avenue

Violations of Chapter 9, Section 9-12(a) 2, b, c; and Chapter 26, Section 8.11(b) Maintenance – Stucco/Holes/Doors; and Chapter 26, Section 8.11(a) Maintenance – Roof.

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.

- Ms. Daumann displayed several photographs of the subject property, located within City limits, providing a brief history of the Compliance Order issued to the respondent on August 28, 2019. She stated an October 9, 2019, inspection found corrective action had not been taken in that areas of cracked and damaged stucco remained, more than 20% of the exterior walls had not been maintained as to be free from dirt and/or mold and the exterior door remained in a state of disrepair. She reviewed the City's efforts to bring the property into compliance, noting an inspection on November 18, 2019, found the exterior wall of the structure had been painted to cover the dirt and/or mold; however, the paint stopped one foot from the top of the wall and the areas of cracked and/or damaged stucco on the building structure remained. She concluded the property had been in noncompliance for 41 days, submitting an invoice for case cost incurred in the amount of \$44.32.
 - Ms. Giardina confirmed staff had not heard from the respondent since September 26, 2019.
 - Ms. Heggan MOVED, Ms. Giardina SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$4,100, representing \$100 per day for 41 days plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$44.32. MOTION CARRIED UNANIMOUSLY.
- C. HEARING IMPOSING PENALTY 19-72543 – CODE COMPLIANCE OFFICER – NICK FALKNER
 Respondent: Aaron Doby
 Address of Violation: 710 Monaco Dr.
 Violation of Chapter 26, Section 8.11 (a) Maintenance – Roof
- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
 - Mr. Falkner provided a brief history of the Compliance Order issued to the respondent on August 28, 2019, stating an October 7, 2019, inspection found corrective action had not been taken in that more than 20% of the roof of the structure had not been cleaned and maintained. He then displayed several photographs of the subject property, located within City limits, and reviewed the City's efforts to bring the property into compliance, noting a November 18, 2019, inspection found the violations remained. He concluded the property had been in noncompliance for 43 days, submitting an invoice for case cost incurred in the amount of \$36.08.
 - Ms. Perry confirmed the respondent had contacted staff requesting an extension which could not be granted, verifying no further action had been taken.

- Ms. Giardina MOVED, Mr. Heggan SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$4,300, representing \$100 per day for 43 days plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$36.08. MOTION CARRIED UNANIMOUSLY.

D. HEARING IMPOSING PENALTY 19-73896 - CODE COMPLIANCE OFFICER – NICK FALKNER

Respondents: Aaron Doby

Address of Violation: 710 Monaco Drive

Violation of Chapter 26, Section 8.11 (b); and Violation of Chapter 9, Section 9-12 (e)
Torn or Missing Screening

- Mr. Bauman entered a plea of not guilty on behalf of the absent respondent.
- Mr. Falkner provided a brief history of the Compliance Order issued to the respondent on October 23, 2019, stating an October 29, 2019, inspection found corrective action had not been taken in that the torn and/or missing screening remained on the pool cage. He then displayed several photographs of the subject property, located within City limits, and reviewed the City's efforts to bring the property into compliance, noting a November 18, 2019, inspection found the violations remained. He concluded the property had been in noncompliance for 21 days and submitted an invoice for case cost incurred in the amount of \$47.85.
- Ms. Heggan MOVED, Ms. Perry SECONDED to find the respondent in violation of the Compliance Order, to impose a fine of \$2,100, representing \$100 per day for 21 days plus applicable interest, with the fine continuing to run until the respondent came into compliance, and to require payment of total case costs incurred in the amount of \$47.85. MOTION CARRIED UNANIMOUSLY.

COMMITTEE/BOARD COMMENTS

- Mr. Bauman inquired as to Mr. Irving Furman's threat of legal action related to the Americans with Disabilities Act (ADA).
- City Attorney Levin responded the record proved there was no violation of the ADA, noting appropriate legal action would be taken by the City if needed.

CITIZENS' COMMENTS

- None.

ADJOURNMENT

- Meeting Adjourned: 11:36 a.m.

Henry Bauman, Acting Chairman

Leah Pues, Recording Secretary