

**CODE ENFORCEMENT BOARD MINUTES**  
**Wednesday, June 9, 2021 – 1:30 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

**PRESENT:** Chairman, Eric Price; Vice Chairman, Stephen McDonald; Members: Linda Hillman, Frank Pizzichillo, Richard Kennedy, Christopher Bryant and Ken Daige **Also Present:** Code Enforcement Officer, Melody Sanderson; Code Enforcement Officer, Jamila McGee; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

**1. CALL TO ORDER**

Today's meeting was called to order at 1:30 p.m.

**2. PLEDGE OF ALLEGIENCE**

The Chairman led the Board members and the audience in the Pledge of Allegiance to the flag.

The Deputy City Clerk swore in staff and the audience present for today's meeting en masse.

**3. PRELIMINARY MATTERS**

**A) Adoption of Minutes – May 12, 2021**

**Mr. McDonald made a motion to adopt the minutes of the May 12, 2021 Code Enforcement Board meeting. Mr. Daige seconded the motion and it passed unanimously.**

**B) Agenda Additions, Deletions and Adoption**

Ms. Jamila McGee, Code Enforcement Officer, pulled Case #21-CE-11580 – Brenda Allen Lemon and Case #21-CE-11599 – Carlton E. and Carol A. Smith from today's agenda. She reported that both properties are in compliance.

Ms. Melody Sanderson, Code Enforcement Officer, pulled Case #21-CE-11558 – Michigan Rainbow LLC and Kristine Gabor / One Sotheby's International Realty from today's agenda. She reported that the property is in compliance.

Ms. Sherri Philo, Deputy City Clerk, requested that they add to today's agenda, cancellation of the July Code Enforcement Board meeting.

**Mr. Price made a motion to adopt the agenda as amended. Mr. McDonald seconded the motion and it passed unanimously.**

**4. UNLICENSED CONTRACTORS/CITATIONS**

None

**5. EVIDENTIARY HEARINGS**

**A) Citation Appeals**

**1. CASE #21-CE-11604 / 0016J**

**VIOLATOR:** Brandon's Tree Company LLC / Brandon Burkhardt

**VIOLATION:** Distribution of business cards on the public right-of-ways – Code Section 62-33(a)(1)(3)

**VIOLATION ADDRESS:** Public right-of-ways

The Deputy City Clerk swore in Mr. Brandon Burkhardt.

Mr. Brandon Burkhardt, who has been sworn in, reported that when he received the citation for distributing business cards on public right-of-ways, he called Ms. McGee who explained to him that it was against the Code. He asked Ms. McGee what he should do and she instructed him to write down what happened, which is the reason why he wrote the appeal in order to explain what happened.

Mr. Bryant asked where were the business cards.

Mr. Burkhardt said that he was distributing his business cards in the neighborhood across the 17<sup>th</sup> Street Bridge. He said that he did not realize it was not permitted in the City limits. Once he found out it was not permitted he stopped.

Mr. Price asked was it on A1A and 17<sup>th</sup> Street.

Ms. McGee reported that it was Greytwig Road and Live Oak Road.

Mr. Price asked if he was handing out his business cards to people or placing them in their mailboxes.

Mr. Burkhardt explained that they were in zip lock baggies with a rock to hold them down and he was placing them next to the driveway and the sidewalk so that he was not trespassing on their property.

Mr. Daige asked has anyone else been cited for this.

Ms. Sanderson answered not to her knowledge.

Mr. Price asked if Mr. Burkhardt received a warning prior to being issued a citation.

Ms. McGee said that she issued a citation and not a warning.

Mrs. Hillman asked Mr. Burkhardt how long he has been doing business in Vero Beach.

Mr. Burkhardt said that he moved to Vero Beach last January and opened his business this January.

Mrs. Hillman said then you are new to the area.

Mr. Burkhardt said that is correct. He said that he did not know this was not permitted in the City limits. He said that he did verify that it is permitted in the County.

Mr. Price asked why he wanted to appeal the citation.

Mr. Burkhardt said that he didn't realize that he was appealing it. When he spoke to Ms. McGee she instructed him to write a letter, so he wrote the letter to apologize for the inconvenience and that he did not know it was against the Code in the City of Vero Beach.

Mr. Bryant asked was he given a fine.

Ms. McGee answered yes. She said that Mr. Burkhardt stated the reason for the appeal was for the fine.

Mr. Bryant asked how much was the fine.

Ms. McGee answered \$50.

Mr. Bryant asked is it permissible for Mr. Burkhardt to go door to door.

Ms. Sanderson said that he would probably be required to obtain a solicitor's license from the City Planning and Development Department. She said that Mr. Burkhardt could also go to the Planning and Development Department while he is here and pull a permit for 20 small portable signs to advertise his business, which are allowed to be placed in the City right-of-ways from Thursday morning through Monday at 12:00 p.m.

Mr. Daige asked is there any wiggle room in the Code where a warning citation could be issued or does the Code state that when there is a violation that it is an automatic \$50 fine.

Ms. Sanderson said it is not automatic.

Mr. Pizzichillo said they are living in tough economic times and he can sympathize with Mr. Burkhardt. He said that he would like to welcome him here and give him a little forgiveness.

Mr. Bryant agreed. He said a warning is sufficient for a new comer to the City of Vero Beach.

**Mr. McDonald made a motion that the Board treats this as a warning and drop the \$50 fine. Mr. Pizzichillo seconded the motion.**

Mr. Daige asked if the motion is passed, will the warning citation stay on this company's record at the City.

Mr. John Turner, City Attorney, said the fine is waived and the charges remain public record.

Mr. Daige said that he will support forgiveness of the fine as long as they know in the public record that there is a warning.

**The motion passed unanimously.**

**B) Non-Compliance / Compliance Reports**

**1. Request for Board Order**

- a. CASE #21-CE-11558 / 3260M**  
**VIOLATOR:** Michigan Rainbow LLC (owner) and Kristine Gabor / One Sotheby's International Realty

**VIOLATION:** Sign violation – Code Section 38.09(1)(1)  
**VIOLATION ADDRESS:** 1650 Riomar Cove Lane, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- b. CASE #21-CE-11543 / 3244M**  
**VIOLATOR:** Kim Hoggatt (TR)  
**VIOLATION:** Code Compliance Certification and building permits required; wood on right-of-way – Code Sections 64.05(a)(2)(b)(d); 22-181; 22-106; 71.03  
**VIOLATION ADDRESS:** 1906 38<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**

Ms. Sanderson reported that the violation is that after the fact Code Compliance Certification and a building permit is required for the shed and wood placed on the right-of-way. She said the violation of the wood on the right-of-way has been removed. Service of the citation was provided by property posting. She reported that the violator is in the process of completing the application process with the Planning and Development Department and will be following up with the Building Department. She asked that the Board issues a Board order to correct the violation within 45-days from the date of the Board order or continuing civil penalties in the amount of \$50 per day shall commence on the original compliance date of April 20, 2021, until corrected and that the civil penalty has been paid.

Ms. Kim Hoggatt, property owner, who has been sworn in, said that she thought this was completed in April and then she received something in May so she is in the process of going further. She said that she applied for the two (2) permits and is in the process of trying to find an architect. She said that she thought when she purchased the home that there was a permit for the shed.

Mr. Price asked Ms. Sanderson if she felt that 45-days was enough time to come into compliance.

Ms. Hoggatt said that she has been calling architects, but no one is getting back with her.

Mr. Bryant said 45-days will not be enough time to come into compliance.

Mr. Price asked is it an existing shed.

Ms. Hoggatt answered yes. She said that she thought the shed has been there since 2005, but in speaking with the previous owner's son she was told that the shed has been there for 25 to 30 years.

Mr. Daige questioned so the shed is 25-year old.

Ms. Hoggatt said that she does not have proof of the age, but that is what the previous owner's son told her.

Ms. Sanderson said the shed is in great shape. She said it probably has been replaced at some point. She then handed out a photograph of the shed to the Board members (on file in the City Clerk's office).

Ms. Philo asked Ms. Sanderson if she reported that the civil penalty has been paid.

Ms. Sanderson said that she thought the penalty was paid.

Ms. Philo reported that she does not have any record of a payment being made.

Ms. Hoggatt said that she paid \$110 back in April.

Ms. Sanderson said that was the application fee.

Mr. Daige said the photograph shows an outside light on the shed, which means that it has electric. She is going to have to have an engineer and is probably going to need some type of tie down permit, etc. He said it is going to take some time to do it correctly.

Mr. Pizzichillo asked is 45-days enough time to come into compliance.

Mr. McDonald answered no.

Mr. Bryant suggested 180-days.

Mr. Daige said the County is very busy. He agreed that she probably would need 180-days to get everything completed.

Mr. McDonald suggested that they allow 90-days with an update given to the Board after the 90-days.

Mr. Pizzichillo said the Board could always extend it.

Mr. Daige agreed.

Mr. Tuner asked are they bringing this case back before the Board in 90-days.

Mr. McDonald answered yes.

Mr. Turner said they could allow 90-days and then let her come back and explain if she couldn't get it done and needs another 90-days.

Mr. Daige felt that 90-days was reasonable. He said one (1) thing that he would ask for if this does come back before the Board is a progress report so they can be sure that things were being done.

**Mr. McDonald made a motion that the Board continues this case for 90-days and that the Board receives an update at that time from the homeowner. Mr. Daige seconded the motion and it passed unanimously.**

At this time, Ms. Hoggatt handed the Deputy City Clerk a check for payment for the \$50 civil penalty.

- c. **CASE #21-CE-11580 / 0004J**  
**VIOLATOR:** Brenda Allen Lemon (Tr)  
**VIOLATION:** Shed installed without Code Compliance Certification from the Vero Beach Planning and Development Department or a building permit – Code Section 64.05(b)(9)(b)  
**VIOLATION ADDRESS:** 1925 39<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- d. **CASE #21-CE-11599 / 0013J**  
**VIOLATOR:** Carlton E. and Carol A. Smith  
**VIOLATION:** Public nuisance and fence installed without Code Compliance Certification or a building permit – Code Sections 38-31(b)(5); 38-32(a)(1)(2); 64.05(b)(7); 22-181; 22-106  
**VIOLATION ADDRESS:** 1756 35<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply)**

This item was pulled from today's agenda.

- e. **CASE #21-CE-11395 / 3109M**  
**VIOLATOR:** Patrick Esposito and Gina Moyer  
**VIOLATION:** Construction without permits or City of Vero Beach Planning and Development approval – Code Sections 22-181; 22-106; 64.05(a)(b)(9)(a)  
**VIOLATION ADDRESS:** 1645 30<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Request of violator for more time to come into compliance)**

Ms. Sanderson reported that this case came before the Board in February and the Board allowed 30-days to pay the enforcement costs and 120-days to correct the violation. The costs have not been paid. She reported that Ms. Gina Moyer was present for the hearing held in February and was advised that if they wanted to keep the structure they would need an engineering report. Mr. Esposito made contact with Code Enforcement on May 6, 2021, and to date no determination has been made regarding keeping the structure or removing the structure.

Mr. Patrick Esposito, Property Owner, who has been sworn in, said that he is here today to try to get an extension to comply because he did not know anything about this violation until May 5, 2021. He said it took him from May 6, 2021, to June 1, 2021, to find out what he needed to do to comply. He said that he didn't actually receive the citation until May 27, 2021, which was attached to the Notice of Hearing.

Ms. Sanderson explained that the citation was mailed to the address that was listed on the Property Appraiser's website.

Mr. Esposito said the citation was sent to his previous P.O. Box.

Ms. Sanderson read in part an email from the Tax Collector's office regarding the address they have had on file since 2009 (on file in the City Clerk's office). She reported that there has been no address change. The address she serviced by mailing the citation was the same address that Mr. Esposito is stating is not his address. She noted that in addition to mailing the citation to the P.O. Box, it was also posted on the property.

Mr. Esposito said the P.O. Box that is on record used to be his P.O. Box. He said that his mother got sick about three (3) years ago and passed away in November of last year.

Mr. Price asked are you receiving the letters for the property taxes.

Ms. Sanderson reported that the taxes are currently paid.

Mr. Esposito explained that he has been taking care of everything since about two (2) years before his mother passed away. He basically took everything over in the beginning of 2020 and switched everything to her P.O. Box. He said it is his fault that he didn't receive the initial citation and he is not present to question it. He said Ms. Gina Moyer is another situation. He guessed that she told the Board that she was the property owner, but he is the property owner.

Mr. Price said the violation is for construction without permits.

Ms. Sanderson said that is correct. She said they were given 120- days to correct the violation and Ms. Moyer was told at the time to start with an engineering report and nothing has been done. She said that she doesn't know the dynamics between Mr. Esposito and Ms. Moyer, but Ms. Moyer stated at the time of the violation that she was doing a rent-to-own on the property. She appeared at the Board hearing, and the times that the Police have been called to the property Ms. Moyer represented herself to be the property owner. When she met Mr. Esposito on the property last week he stated that Ms. Moyer had just left and he didn't have a key to the property.

At this time, Ms. Sanderson handed to the Board photos of the property (on file in the City Clerk's office).

Mr. Price asked Mr. Esposito, who is Ms. Gina Moyer.

Mr. Esposito said that she is a renter, not the owner. He said that she has been trying to purchase the house for two (2) years.

Ms. Sanderson reported that there is property that was quit claimed to Ms. Moyer in March, 2021, for another location where she lives.

Mr. Daige asked is the property listed as a single residence.

Ms. Sanderson said it is Single Family Residential.

Mr. Daige referred to the photographs submitted stating that it looks like someone was adding a dwelling unit. He said the Board previously allowed enough time to get this squared away and he thinks it was explained that it was not permitted to add another unit.

Mr. McDonald said that Mr. Esposito is telling the Board that Ms. Moyer is not the property owner.

Mr. Esposito said that is correct.

Mr. McDonald asked did Ms. Moyer represent herself as the property owner when she was before the Board.

Ms. Sanderson answered yes.

Mr. McDonald asked who did the addition.

Mr. Esposito answered Ms. Moyer.

Mr. McDonald asked Mr. Esposito if he has applied for a permit.

Mr. Esposito said that he found out about the violation on May 5<sup>th</sup> and he has a list of everything that he has done since May 6<sup>th</sup> in trying to get this straightened out. He said that he found out exactly what has to be done on June 1<sup>st</sup> when Ms. Sanderson met him on the property.

Ms. Sanderson asked Mr. Esposito if he changed his address with the Property Appraiser's office.

Mr. Esposito answered no.

Mr. Daige asked Ms. Sanderson to tell the Board what needed to be done.

Ms. Sanderson said the dwelling unit that is not attached to the house needs to be permitted or removed.

Mr. McDonald said the corrections were supposed to be made by June 21<sup>st</sup>, otherwise penalties would start accumulating at \$50 per day.

Mr. Price said so they had the tenant representing herself as the property owner and who stated that she would take care of it and agreed to the terms and now the Board is finding out that she didn't have the right to agree to it.

Mr. McDonald said they have two (2) issues here. They have someone who misrepresented herself in front of the Board under oath and how much time do they give Mr. Esposito to get the ball rolling.

Ms. Sanderson said that she wants something to get started because it has been 120-days and nothing has been done. She said that Mr. Esposito has to follow through on his part. She said that in speaking with Mr. Esposito on May 26<sup>th</sup> he was told to change his address with the Property Appraiser's office and that hasn't been done.

Mr. Turner said the Code Officer has followed the correct procedures contained in the City's Ordinance in issuing the citation and giving notice. The person is present to address the Board in trying to work out a mitigation plan or an extension of time. There is no defense as to the citation itself. This is properly before the Board and the Board can proceed at their discretion. The issue is do they want to extend additional time even though it is Code Enforcement's opinion that the violator and/or property owners are liable. It is not either or. It is both. The property owner is charged with knowledge of what is going on with his or her

property. It is up to the Board to determine if, based upon this case, they want to extend some additional time, which is really what the individual is requesting.

Mr. Daige said the City Attorney makes a good point. The property owner is responsible for what is going on there. He has a concern that an extra dwelling unit was put up without any permits.

Mr. Esposito said there is a 10 by 10 structure there. Everything else has been taken down.

Ms. Sanderson reported that Ms. Moyer took down the roof that was over the patio area.

Mr. Bryant asked Mr. Esposito, as the property owner, can you have the dwelling unit removed or remove it yourself.

Mr. Esposito said that he would have had it done by today, but he cannot pull a permit.

A woman in the audience wished to speak.

Mr. Turner said if she is being called as a witness by the property owner then it is proper procedure.

The Deputy City Clerk swore in Ms. Linda Rodriguez.

Ms. Linda Rodriguez, who has been sworn in, said that she is Mr. Esposito's significant other. She said it hasn't been that he hasn't done anything. He has been in the emergency room three (3) times since he found out about this. During the time that he was not in the hospital they have a list of everyone they have spoken with.

Mr. Price said one (1) of the options is to have the structure removed.

Ms. Rodriguez said they didn't know about this.

Mr. McDonald said the Board realizes that there was a communication breakdown. The issue now is what is going to be done and in what timeframe.

Ms. Rodriguez said they are trying. Each contractor tells them they would meet them on the property and then they don't show up. The ones that do show up tell them they will try to see what they have to do with the City, etc., and then nothing. She said that Mr. Esposito could do the work, but he has to be approved.

Mr. McDonald asked how difficult is it to pull a demo permit.

Mr. Daige said to his knowledge, the Building Department no longer issues demo permits. He said this is a rental unit and any work done on a rental unit must be done by a licensed contractor.

Ms. Rodriguez said it is very difficult to find someone who will help you.

Ms. Sanderson said this is a house that multiple tenants occupy and this is a separate dwelling unit. It does not have access to the main house. This is an income producing property.

Mr. Price asked does it have water and electric.

Ms. Sanderson reported that is what she was told when she was onsite.

Mr. Daige said the bottom line is that the dwelling unit would have to be removed and there is going to have to be a scope of work by a licensed person and then they can go in for the proper permits.

Ms. Sanderson said what also could be done is in order for it to be community property, the dwelling unit has to have access to the kitchen and cannot be separated.

Mr. Pizzichillo asked who is currently residing there.

Ms. Sanderson said there are multiple tenants.

Mr. Pizzichillo asked how many people are living in the house.

Mr. Esposito said to his knowledge there are two (2).

Mr. Esposito said his understanding from what he has heard today is that there is a kitchen, a bathroom, and it can't be accessed from the house. He said that he has been in the house and you can access it.

Mr. McDonald said it sounds like they have a choice, either to demo the structure or get a permit to keep it.

Mr. Esposito said that he just wants to fix the issue, but he needs more time because there is no way he can get this done by the end of this month.

Mr. Daige asked Ms. Sanderson what action is she looking for from the Board.

Ms. Sanderson asked that the Board continues this case for 60-days and Mr. Esposito shows her what they are doing in the meantime.

Mr. Turner said the Board already has a Board order entered stating what this Board has expected in this case. He advised the Board to stick within the parameters of that order.

Mr. Kennedy said they are hearing new facts so he felt it was within the Board's purview to extend this.

Mr. McDonald asked is it possible to void the Board order.

Mr. Turner said they have that discretion. He wanted the Board to realize that they entered an order and they should expect their orders to be followed and carried out. The facts presented are not really new. They are a restatement of what previously occurred. They were duly served, they were given notice, they were given the opportunity to come in, the case was before the Board before, but it is either the Board expects their orders to be enforced or if they feel in this particular case that additional time is necessary, that it be given.

Mr. Kennedy said the fact that Mr. Esposito has had health problems, are extenuating circumstances.

Mr. Turner said that is mitigation. He said based upon what he (Mr. Esposito) testified to, if the Board moved to have the order withheld from being filed for a certain period of time he could see in the interest of justice that would be appropriate.

**Mr. Kennedy made a motion that since they have mitigating circumstances that the Board permits this violator 60 additional days to pursue whatever it is ...**

Mr. Turner recommended that they have a supplemental order. He explained that they need to have something of record memorializing what occurred today if they want to extend this. He said there already has been an order entered. He said they might want an amended order allowing additional days, which would be a way to make the record clear on what has occurred.

Mr. Daige asked do they need the wording “withheld” included in the order.

Mr. Turner suggested an amended order amending the order of the date that it was entered in January, to extend compliance for another 90-days and that the lien ordered in January would not be filed.

Ms. Sanderson asked as part of that order, can they state that Code Enforcement has the ability to do an inspection to confirm that this isn’t a separate dwelling unit as this is all income producing property.

Mr. Turner said that is in their purview any time. He said they have an existing order and they need to have something of record to clarify that the order is going to be amended to the extent that the violator or property owner has 90-days to comply.

Mr. Bryant suggested that they allow 120-days.

Mr. Daige said that he doesn’t want to allow 120-days.

Mr. Bryant said that he would vote no then.

**Mr. McDonald made a motion that the Board amends the original order from June 21<sup>st</sup>, that it not be filed and that they give Mr. Esposito 120-days to resolve the situation one way or another.**

Ms. Sanderson added that an inspection be done by Code Enforcement within so many days.

Mr. McDonald agreed.

Mr. Turner said that she would have to have a compliance affidavit or non-compliance affidavit filed before the end of the compliance period as she would in a normal case. He asked would that be reasonable.

Ms. Sanderson answered yes, but she would like an inspection well before the 120-days to verify that this is not being maintained as a separate dwelling unit.

**Mr. McDonald continued with the motion that in addition to the 120-days that they have two (2) caveats; one (1) that he (Mr. Esposito) change the address with the Tax Collector’s office and two (2) that within 30-days he (Mr. Esposito) arrange with Ms. Sanderson for an onsite interior inspection.**

Ms. Sanderson said not within 30-days, within the next two (2) weeks.

**Mr. McDonald agreed.**

Mr. Pizzichillo suggested 14 business days.

**Mr. McDonald said the motion is that the June 21<sup>st</sup> date of the original order be amended to allow for another 120-days, that the address at the Tax Collector's office be corrected immediately, that within the next 14 business days Ms. Sanderson will arrange for an onsite inspection of the property and if not in compliance continuing penalties would commence effective the original date.**

Ms. Sanderson questioned so they are saying compliance within 120-days, but what if she is not given access within the 14 business days.

Mr. Daige said then they would be in violation of the Board order.

Mr. McDonald said they would be in violation and the entire thing would be rejected.

Mr. Turner said Ms. Sanderson can handle the initial inspection within 14 business days, but that is just to look at the interior. But, to have compliance she is going to have to go out for additional inspections and if she finds compliance that is one (1) thing, but if she finds it not in compliance then there is going to be an affidavit filed and the Board should take action on that and access the penalties back to January, 2021 and go through the normal process.

Mr. Bryant said that he can either get a permit or remove it. He said to give him 120-days and if he has a permit then he is good.

Mr. Turner asked that they include in the motion costs. He is going to request that Ms. Sanderson's time be separately kept and that the City be reimbursed for her additional time that she is going to be spending on this case. He said that he is also going to ask for fees from the City Attorney's office for doing an additional order and any fees from the City Clerk's office that they incur as a result from this and that will be included in an affidavit for payment when this case is recalled.

**Mr. McDonald included what the City Attorney just stated as part of his motion.**

Mr. Turner said that he can include in the motion that the property owner in this case will be responsible for additional fees and costs incurred by the City from this point forward.

**Mr. Price seconded the motion and it passed unanimously.**

## **6. OLD BUSINESS**

### **A) Update on Case #20-CE-11191 / 2961M – United Against Poverty, Inc.**

Ms. Sanderson reported that United Against Poverty is present today to give the Board an update on this case.

The Deputy City Clerk swore in Mr. Matt Tanner.

Mr. Matt Tanner, Executive Director for United Against Poverty, who has been sworn in, reported that they moved into the building in January of last year. He said they were putting juice and fruits into the compactor, which is where the initial illicit drainage violation came from. They were asked to shut that down in terms of continued usage of juice and fruit and to provide photographs of signs that were posted on the compactor for their staff indicating no more usage and also to run their staff through food safety training and bringing them up to speed on how to utilize the compactor, which they have done. He then submitted documentation to validate that (on file in the City Clerk's office). He reported that the training included how to use the compactor and what can and cannot be put in the compactor, which included new signage. He said they are still using the compactor, but it is just being used for dry goods and can goods.

Mr. Price questioned so there is no liquid coming from it now.

Mr. Tanner said that is correct.

At this time, the Deputy City Clerk swore in Mr. Heath Parker.

Mr. Heath Parker, Regional Grocery Manager for United Against Poverty, who has been sworn in, reported that there was a sub-pump that was part of the building structure that they were not aware of and what was occurring was that staff was throwing all products into the compactor, which was draining out into the area and when the sub-pump would turn on it would pump everything out into an area close to the sidewalk. When this came to their attention they immediately stopped staff from putting any type of items into the compactor that would liquefy. The only thing going into the compactor is office garbage and/or dry products. There are no canned food, bottles, milk, egg, produce, etc., going into the compactor. Since that has happened they have not had any issues. Now what happens is when the area fills with water from the rain, the sub-pump will turn on and the water goes into a drainage field and all that is going to that area is rain.

At this time, the Deputy City Clerk swore in Ms. Danessa Chambers.

Ms. Sanderson showed Ms. Chambers the documentation that was submitted.

Ms. Danessa Chambers, Assistant City Engineer, who has been sworn in, said they need the sign to state "no organics or liquids will be disposed of in the trash compactor" and it should be something that stands out.

Ms. Sanderson asked does what they have before them today bring the property into compliance.

Ms. Danessa said pending that she receives a photograph that includes the organics, like the food and the liquids, zoomed in so that it is clear, then yes.

## **7. ADMINISTRATIVE MATTERS**

None

## **8. CLERK'S MATTERS**

The Deputy City Clerk reported that the Board normally cancels their meeting in July.

**Mr. Price made a motion that the Board forgoes their July 14, 2021, Code Enforcement Board meeting and resumes meeting in August. Mr. Pizzichillo seconded the motion and it passed unanimously.**

**9. ATTORNEY'S MATTERS**

Mr. Turner reported that at the June 15<sup>th</sup> City Council meeting he will be seeking Council direction to initiate a lien foreclosure case against Mr. McCracken.

**10. CHAIRMAN'S MATTERS**

None

**11. MEMBER'S MATTERS**

None

**12. ADJOURNMENT**

Today's meeting adjourned at 2:56 p.m.

/sp