CITY OF BARTOW
CODE ENFORCEMENT BOARD HEARING
TUESDAY, SEPTEMBER 13, 2016 - 5:30 P.M.
CITY HALL COMMISSION CHAMBERS
450 N. WILSON AVENUE, BARTOW, FLORIDA

MINUTES

The City of Bartow Code Enforcement Board met in a regular meeting held on September 13, 2016 at 5:30 p.m. in the Commission Chambers located at City Hall, 450 N. Wilson Avenue, Bartow, Florida. Notice of this meeting as posted at Bartow City Hall and the City’s website www.cityofbartow.net.

1. CALL TO ORDER
   The meeting was called to order by Chairperson Jones at 5:30 p.m.

2. INVOCATION
   The invocation was given by Board Member Ford

3. PLEDGE OF ALLEGIANCE TO THE FLAG
   The Pledge of Allegiance to the Flag was spoken by the Board and audience.

4. ROLL CALL
   The roll was called by Administrative Assistant Cindy King and attendance was as follows:

   BOARD MEMBERS PRESENT: Board Member Lovelace
                            Board Member Ford
                            Board Member Edenfield
                            Chairperson Jones
                            Board Member Montez

   BOARD MEMBERS ABSENT: Board Member Bohde

   STAFF PRESENT: Code Enforcement Investigator Anthony Sullivan
                   Administrative Assistant Cindy King

5. CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS AND COMMUNICATIONS

6. CONSIDERATION OF MINUTES –
   MOTION was made by Chairperson Jones to approve the minutes from the July 26, 2016 Code Enforcement Board Hearing.

   AYE: Lovelace, Ford, Edenfield, Jones, Montez
   NAY: None

7. SWEAR IN ANYONE WISHING TO TESTIFY
   Building Department Administrative Assistant Cindy King swore in members of the staff and audience that intended on testifying in any of the cases before the Board.

8. OLD BUSINESS –
9. NEW BUSINESS

A. CASE NO. 40019-AS  
(SULLIVAN)  
RESPONDENT(S) VALERIE M. FORTUNE  
LOCATION: 1665 SAILPOINT DRIVE, BARTOW, FL  
PARCEL #: 25-30-13-293164-003030  
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION  
ORDINANCE:  
302.1 SANITATION AND STORAGE OF MATERIALS  
OPEN STORAGE

Appearing before the Code Enforcement Board was the City’s Code Enforcement Investigator Sullivan who gave the following testimony. Investigator Sullivan stated that he personally took the photos for this case and they accurately depict what he observed. Investigator Sullivan stated that he found the listed violations to exist during patrol on June 20, 2016. He stated that a Notice of Violation/Notice of Hearing was sent to the property owner(s) by Certified and First Class Mail on June 20, 2016 and again August 2, 2016 giving the Respondent(s) 10 days to bring the property into compliance. Investigator Sullivan said that the notice was accepted. Investigator Sullivan stated that the property has been in violation for 85 days. Investigator Sullivan stated the property has been inspection three times with the most recent inspection being done on September 13, 2016 and the property is still in violation. Investigator Sullivan stated that the property’s front yard has been somewhat cleaned and cleared; the main issue is now the backyard. Investigator Sullivan is requesting that the respondent be given until October 11, 2016 to correct the violations and assess all administrative costs for this case. If the corrections are not made by October 11, 2016, Investigator Sullivan is requesting that the Board impose a fine of $25.00 per day in accordance with Florida Statute –plus any and all administrative costs accrued for this case. If the fines and costs are not paid, Investigator Sullivan stated that he will place a lien upon the property.

MOTION was made by Board Member Lovelace seconded by Board Member Montez to accept staff recommendation to give the Respondent(s) until October 11, 2016 to correct the violation(s). If the violation(s) are not corrected by such date the Board will impose a fine of $25.00 per day pursuant to Florida Statute plus all administrative costs associated with the case until the property is brought into compliance. If the fines and costs are unpaid, a lien will be placed upon the property.

AYE: Lovelace, Ford, Edenfield, Jones, Montez  
NAY: None

B. CASE NO. 40685-AS  
(SULLIVAN)  
RESPONDENT(S) PATSY SPENCER DOWNS ESTATE  
LOCATION: 2160 DE LA FLORES, BARTOW, FL  
PARCEL #: 25-30-17-000000-014080  
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION  
ORDINANCE:  
302.4 WEEDS & OVERGROWTH  
FALLEN TREE

Appearing before the Code Enforcement Board was the City’s Code Enforcement Investigator Sullivan who gave the following testimony. Investigator Sullivan stated that he personally took the photos for this case and they accurately depict what he observed. Investigator Sullivan stated that the Code Enforcement office received a complaint concerning the violations on August 15, 2016. He stated that a Notice of Violation/Notice of Hearing was sent to the property owner(s) by Certified and First Class Mail on August 16, 2016 giving the Respondent(s) 10 days to bring the property into compliance. Investigator Sullivan said that the notice was accepted. Investigator Sullivan stated that the property has been in violation for 29 days. Investigator Sullivan stated the property has been inspection three times with the most recent inspection being done on September 13, 2016 and the property is still in violation. Investigator Sullivan is requesting that the respondent be given until September 26, 2016 to correct the violations and assess all administrative costs for this case. If the corrections are not made by September 26, 2016, Investigator Sullivan is requesting that the Board impose a fine of $100.00 per day in accordance with Florida Statute –plus any and all
administrative costs accrued for this case. If the fines and costs are not paid, Investigator Sullivan stated that he will place a lien upon the property.

**MOTION** was made by Board Member Montez seconded by Board Member Edenfield to accept staff recommendation to give the Respondent(s) until September 26, 2016 to correct the violation(s). If the violation(s) are not corrected by such date the Board will impose a fine of $100.00 per day pursuant to Florida Statute plus all administrative costs associated with the case until the property is brought into compliance. If the fines and costs are unpaid, a lien will be placed upon the property.

AYE: Lovelace, Ford, Edenfield, Jones, Montez
NAY: None

C. **CASE NO. 40505-AS (SULLIVAN)**

Respondent(s) Regions Bank
Location: 795 W Bearcreek Drive, Bartow, FL
Parcel #: 25-30-06-386800-012150
Violation: City of Bartow Ordinance
Section 38-31 Offensive Accumulations, Debris Declared Nuisance
Bartow Property Improvement Regulation Ordinance:
302.4 Weeds & Overgrowth
International Property Maintenance Code:
304.2 Protective Treatment
303.1 Swimming Pools
Property needs mowing, fence needs repair, pool needs to be covered

Appearing before the Code Enforcement Board was the City's Code Enforcement Investigator Sullivan who gave the following testimony. Investigator Sullivan stated that he personally took the photos for this case and they accurately depict what he observed. Investigator Sullivan stated that he found the listed violations to exist during patrol on August 1, 2016. He stated that a Notice of Violation/Notice of Hearing was sent to the property owner(s) by Certified and First Class Mail on August 2, 2016 giving the Respondent(s) 10 days to bring the property into compliance. Investigator Sullivan said that the notice was accepted. Investigator Sullivan stated that the property has been in violation for 33 days. Investigator Sullivan stated the property has been inspection three times with the most recent inspection being done on September 13, 2016 and the property is still in violation. Investigator Sullivan stated that he has spoken with Kendra, a representative of the management company, and she informed him that she would someone out to fix the issues. Investigator Sullivan is requesting that the respondent be given until October 11, 2016 to correct the violations and assess all administrative costs for this case. If the corrections are not made by October 11, 2016, Investigator Sullivan is requesting that the Board impose a fine of $25.00 per day in accordance with Florida Statute—plus any and all administrative costs accrued for this case. If the fines and costs are not paid, Investigator Sullivan stated that he will place a lien upon the property. The Board also ordered the City of Bartow to have the pool secured by September 16, 2016.

**MOTION** was made by Board Member Lovelace seconded by Board Member Montez to accept staff recommendation to give the Respondent(s) until October 11, 2016 to correct the violation(s). If the violation(s) are not corrected by such date the Board will impose a fine of $25.00 per day pursuant to Florida Statute plus all administrative costs associated with the case until the property is brought into compliance. If the fines and costs are unpaid, a lien will be placed upon the property. The Board also ordered the City of Bartow to secure the pool the pool is not secured by September 16, 2016.

AYE: Lovelace, Ford, Edenfield, Jones, Montez
NAY: None

D. **CASE NO. 40450-AS (SULLIVAN)**

Respondent(s) Catherine D. Conway
Location: 925 S Orange Avenue, Bartow, FL
Parcel #: 25-30-08-419000-004040
Violation: City of Bartow Ordinance
78-04 Enforcement and Penalties
Appearing before the Code Enforcement Board was the City's Code Enforcement Investigator Sullivan who gave the following testimony. Investigator Sullivan stated that he personally took the photos for this case and they accurately depict what he observed. Investigator Sullivan stated that the Code Enforcement office received a complaint concerning the violations on July 28, 2016. He stated that a Notice of Violation/Notice of Hearing was sent to the property owner(s) by Certified and First Class Mail on July 28, 2016 giving the Respondent(s) 10 days to bring the property into compliance. Investigator Sullivan said that the notice was accepted. Investigator Sullivan stated that the property has been in violation for 47 days. Investigator Sullivan stated the property has been inspected three times with the most recent inspection being done on September 13, 2016 and the property is still in violation. Investigator Sullivan stated that he has spoken with the tenant and the landlord, Miss Conway, on September 13, 2016 and they both told him that they plan on having the tenants vacate the property. Investigator Sullivan stated that the tenant told him that they would be gone by October 14, 2016 and Miss Conway said she will be starting the eviction process. Investigator Sullivan is requesting that the respondent be given until October 31, 2016 to correct the violations and assess all administrative costs for this case. If the corrections are not made by October 31, 2016, Investigator Sullivan is requesting that the Board impose a fine of $25.00 per day in accordance with Florida Statute plus any and all administrative costs accrued for this case. If the fines and costs are not paid, Investigator Sullivan stated that he will place a lien upon the property. Ms. Conway stated to the Board that she is aware of the violation and is in the process of evicting the tenants.

**MOTION** was made by Board Member Ford seconded by Board Member Lovelace to accept staff recommendation to give the Respondent(s) until October 31, 2016 to correct the violation(s). If the violation(s) are not corrected by such date the Board will impose a fine of $25.00 per day pursuant to Florida Statute plus all administrative costs associated with the case until the property is brought into compliance. If the fines and costs are unpaid, a lien will be placed upon the property.

AYE: Lovelace, Ford, Edenfield, Jones, Montez
NAY: None

10. **PUBLIC/GUEST SPEAKERS**

11. **ADJOURNMENT**

**MOTION** was made by Chairperson Jones to adjourn the meeting at 6:03 p.m.

AYE: Lovelace, Ford, Edenfield, Jones, Montez
NAY: None

CHAIRMAN JACK JONES

ATTEST:

ADMINISTRATIVE ASSISTANT CINDY KING

CITY CLERK JACQUELINE POOLE

(SEAL)
CITY OF BARTOW
CODE ENFORCEMENT BOARD HEARING
TUESDAY, SEPTEMBER 13, 2016 - 5:30 P.M.
CITY HALL COMMISSION CHAMBERS
450 N. WILSON AVENUE, BARTOW, FLORIDA

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL
5. CONSIDERATION OF QUESTIONS FROM THE FLOOR, PETITIONS AND COMMUNICATIONS
   Public Comment
   o Matters not appearing on this agenda
   o Matters appearing on this agenda but not scheduled for separate public hearing
6. CONSIDERATION OF MINUTES – JULY 26, 2016
7. SWEAR IN ANYONE WISHING TO TESTIFY
8. OLD BUSINESS –
9. NEW BUSINESS –

A. CASE NO. 40019-AS  
   (SULLIVAN)  
   RESPONDENT(S) VALERIE M. FORTUNE
   LOCATION: 1665 SAILPOINT DRIVE, BARTOW, FL
   PARCEL #: 25-30-13-293164-003030
   VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE:
   302.1 SANITATION AND STORAGE OF MATERIALS
   OPEN STORAGE

B. CASE NO. 40496-AS  
   (SULLIVAN)  
   RESPONDENT(S) WILLIAM PAUL JOHNSON
   LOCATION: 580 S WOODLAWN AVENUE, BARTOW, FL
   PARCEL #: 25-30-07-400300-005130
   VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE:
   302.1 SANITATION AND STORAGE OF MATERIALS
   OPEN STORAGE UNDER CAPORT
C. CASE NO. 40566-AS (SULLIVAN) 
RESPONDENT(S) JAMES PALAWSKI 
LOCATION: 1305 S FAIRVIEW AVENUE, BARTOW, FL 
PARCEL #: 25-30-09-424500-006120 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE: 
302.1 SANITATION AND STORAGE OF MATERIALS 
OPEN STORAGE UNDER CAPORT

D. CASE NO. 40567-AS (SULLIVAN) 
RESPONDENT(S) GREGG A. CAMERON 
LOCATION: 1710 S EMERSON AVENUE, BARTOW, FL 
PARCEL #: 25-30-18-429900-002020 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE: 
302.1 SANITATION AND STORAGE OF MATERIALS 
OPEN STORAGE UNDER CAPORT

E. CASE NO. 40655-AS (SULLIVAN) 
RESPONDENT(S) JACK & LYNN HIGGINBOTHAM 
LOCATION: 590 W ETHERNE STREET, BARTOW, FL 
PARCEL #: 25-29-31-363400-003260 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE: 
302.1 SANITATION AND STORAGE OF MATERIALS 
302.4 WEEDS & OVERGROWTH 
OPEN STORAGE, OVERGROWTH

F. CASE NO. 40685-AS (SULLIVAN) 
RESPONDENT(S) PATSY SPENCER DOWNS ESTATE 
LOCATION: 2160 DE LA FLORES, BARTOW, FL 
PARCEL #: 25-30-17-000000-014080 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE: 
302.4 WEEDS & OVERGROWTH 
FALLEN TREE

G. CASE NO. 40613-AS (SULLIVAN) 
RESPONDENT(S) BERTHA LEE FLOYD 
LOCATION: 1975 E WABASH STREET, BARTOW, FL 
PARCEL #: 25-30-09-000000-033550 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE: 
302.1 SANITATION AND STORAGE OF MATERIALS 
302.4 WEEDS & OVERGROWTH 
OPEN STORAGE, OVERGROWTH, OPEN STORAGE

H. CASE NO. 40572-AS (SULLIVAN) 
RESPONDENT(S) JOHN D. BECK 
LOCATION: 875 E MANN ROAD, BARTOW, FL 
PARCEL #: 25-30-17-429520-000030 
VIOLATION: BARTOW PROPERTY IMPROVEMENT REGULATION ORDINANCE:
I. CASE NO. 40505-AS (SULLIVAN)

RESPONDENT(S) REGIONS BANK
LOCATION: 795 W BEARCREEK DRIVE, BARTOW, FL
PARCEL # 25-30-06-386800-012150
VIOLATION: CITY OF BARTOW ORDINANCE
SECTION 38-31 OFFENSIVE ACCUMULATIONS, DEBRIS DECLARED
NUISANCE
BARTOW PROPERTY IMPROVEMENT REGULATION
ORDINANCE:
302.4 WEEDS & OVERGROWTH
INTERNATIONAL PROPERTY MAINTENANCE CODE:
304.13 PROTECTIVE TREATMENT
304.13.1 GLAZING
BROKEN WINDOWS, PROPERTY NEEDS MAINTENANCE, HIGH GRASS

J. CASE NO. 40450-AS (SULLIVAN)

RESPONDENT(S) CATHERINE D. CONWAY
LOCATION: 925 S ORANGE AVENUE, BARTOW, FL
PARCEL # 25-30-08-419000-004040
VIOLATION: CITY OF BARTOW ORDINANCE
78-84 ENFORCEMENT AND PENALITIES
78-81 USE OR PUBLIC SEWERS REQUIRED
TENANTS ARE LIVING AT THE PROPERTY WITHOUT WATER

10. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statute 286.0105)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact City Clerk Jackie Poole at 450 N. Wilson Avenue, P.O. Box 1069, Bartow, Florida 33831-1069 or phone (863) 534-0100 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771. (Florida Statute 286.26)