

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Final

March 12, 2020

9:00 AM

City Commission Auditorium

Special Magistrate Hearing

Jefferson M. Braswell (Special Magistrate)

Under the Americans with Disabilities Act, 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 the ADA Coordinator, 201 E. University Avenue, Room 414A, Gainesville, FL 32601 at (352) 337-6237 at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711. Any person desiring to appeal any decision with respect to any matter considered at these hearings will need a record of the proceedings, and, for this purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER**PLEDGE TO THE FLAG****ADMINISTRATION OF OATH OF OFFICERS (Oath will be administered to Defendants? Witnesses and individuals cases are heard)****APPEAL**

[191070.](#) [SM 2020-033/CE-20-00034; LARSEN, J S & JEANNETTE](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate Jefferson indicated that typically where there is an appeal the appellant appears first. He asked to hearing from the City. Code Supervisor Martin was sworn in by the Clerk. Mr. Martin indicated that Mr. Larsen is appealing the City's decision. With the understanding the appellant goes first in the process, Magistrate Jefferson dismissed the appeal and said the City can proceed forward.

DISMISSED

REDUCTION/RESCISSION REQUESTS

[191102.](#) [SM 2015-071/CE-15-01045; HOYE, DAVID C](#)
[Request by the new owner EASTWOOD CONSTRUCTION, LLC](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate Jefferson asked to hear the City's position on the reduction/rescissions of fines. Neighborhood Enhancement Manager gave an update on the case and informed that the City has no objection to the Magistrate's ruling. The cost have been paid. The petitioner Andy Coffee represented the new and current owner Eastwood Holdings. He also gave an update of the conditioning of the property and asked for a rescission of the fines. Special Magistrate rules that all fines be dismissed.

Fines Reduced to Zero

CASES TO BE HEARD**191063. SM 2020-043/CE-20-00292; QUICKEN LOANS INC**

ADJ GUILTY

ADMIN \$111.66 Plus all other costs accrued

Allow 30 Days to bring the violation into compliance

if not brought into compliance assess a 1x fine \$250.00

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Clerk swore in Code Officer Palmatier. She gave the history of the case via power point and staff recommendation of; an adjudication of guilt, assess administrative cost of \$111.66, plus all other cost accrued and allow 10 days to bring the violations into compliance. If compliance not achieved, assess a one time fine of \$250. No one came to represent the respondent. The respondent submitted an email. The Magistrate denied the motion of continuance and followed the staff recommendation with the exception on 10 days to comply he ruled for 30 days to come into compliance.

191022. SM 2020-036/CE-19-03466; FOLAYAN, ADEBAYO

ADJ GUILTY \$104.38 ADMIN COSTS + ALL OTHER COSTS
ACCRUED

10 DAYS TO BRING THE PROPERTY INTO COMPLIANCE

IF COMPLIANCE IS NOT ACHIEVED \$50 A DAY FINE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Clerk swore in Code Officer Norris. She gave the history of the case via power point and staff recommendations of; an adjudication of guilt, assess administrative cost of \$104.38 plus all other costs accrued and allow 10 days to bring the violations into compliance. If compliance is not achieved, assess of fine of \$50.00. Clerk swore in Tamika Thomas daughter of the owner. She gave a testimony of the case indicating the tenant removed the car the night before the hearing. The Magistrate accepts staff recommendations but will stay the administrative cost until 10 days from day of the hearing. If the car isn't moved 10 days from the day of the hearing, the administrative cost will be owed and the daily fine of \$50 a day will begin to run.

191028. **SM 2020-038/CE-19-03150; GARDNER, PAUL**

ADJ GUILTY
ADMIN COSTS \$106.67 PLUS ALL OTHER COSTS ACCRUED
30 DAYS TO COME INTO COMPLIANCE
IF COMPLIANCE IS NOT ACHIEVED \$100.00 A DAY FINE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Code Officer Norris gave the history of the case via power point and staff recommendations of; an adjudication of guilt, assess administrative cost of \$106.67 plus all other costs accrued and allow 15 days to bring the violations into compliance. If compliance is not achieved , assess of fine of \$100.00.The Magistrate accepts staff recommendations but instead of 15 day he is granting 30 days to come into compliance.

190788. **SM 2020-020/CE-19-03079; ANDERSON, JAMES K**

DENIED MOTION FOR CONTINUANCE REQUESTED FROM OWNER
ADJ GUILTY ADMIN COSTS OF \$176.56 PLUS ALL OTHER COSTS
ACCRUED
ALLOW 20 DAYS TO BRING THE VIOLATIONS INTO COMPLIANCE
IF COMPLIANCE IS NOT ACHIEVED \$100 DAILY FINE

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Clerk gave Magistrate a correspondence from Mr. Anderson asking for a continuance stating he could not attend the Hearing. Clerk swore in Code Officer Dimuccio. He explained we have already gave Mr. Anderson two continuances equaling 90 days. The Magistrate denied the motion from the petitioner to continue the case. Mr. Dimuccio gave a the history of the case via power point and staff recommendations of; an adjudication of guilt, assess administrative cost of \$176.56 plus all other costs accrued and allow 10 days to bring the violations into compliance. If compliance is not achieved , assess of fine of \$200.00.The Magistrate accepts staff recommendations but instead of 10 days he is granting 20 days to come into compliance and if compliance is not achieved he will assess a fine of \$100 a day instead of \$200 a day.

191027. **SM 2020-040/CE-19-02901; HILL, CARLTON LEE SR & IRISH
BLAINE**RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Clerk swore in Code Officer Moreau. She requested a continuance stating the substantial amount of progress that was made and to make sure that the items that have been moved to the right of way for pick up will not be moved back onto the property. The Magistrate accepted the request for continuance to the next hearing.

CONTINUANCE REQUESTS

COMPLIANCE/DISMISSAL

[191026.](#) [SM 2020-037/CE-19-03421; NEAL, BERNICE N](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate approved the compliance and dismissal of the case.

[191025.](#) [SM 2020-035/CE-19-03237; PATEL, NILA J](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate approved the compliance and dismissal of the case.

[191062.](#) [SM 2020-042/CE-20-00010; GREY WOLF PROPERTIES LLC](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate approved the compliance and dismissal of the case.

[191029.](#) [SM 2020-034/CE-19-03365; MANNING, EUGENE J JR](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate approved the compliance and dismissal of the case.

[191021.](#) [SM 2020-039/CE-20-00168; SOARES, GLAUCIO A D](#)

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary.

Special Magistrate approved the compliance and dismissal of the case.

191061.

SM 2020-044/CE-19-03304; BUTLER "HEIRS" & BUTLER

RECOMMENDATION

The Special Magistrate hears case and takes action deemed as necessary

Special Magistrate approved the compliance and dismissal of the case.

ADJOURNMENT

Meeting adjourned at 9:35a