CT091312

CITY OF PORT ST. LUCIE
CONTRACTORS' EXAMINING BOARD MEETING MINUTES
SEPTEMBER 13, 2012

A Regular Meeting of the CONTRACTORS' EXAMINING BOARD of the City of Port St. Lucie was called to order by Chairman Flaxman on September 13, 2012, at 10:00 a.m., at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

1. CALL TO ORDER

2. ROLL CALL

Members Present: Michael Flaxman, Chairman
Martin Zientz, Vice Chairman
Arlene Brown
Robert Cseak
Richard Fopiano
Greg Oldakowski
Jason Parish

Others Present: Matthew Boettcher, Construction Inspector, Building Department
Donna Noto, Building Permit Specialist, Building Department
Roger G. Orr, City Attorney
Kevin Pierce, Licensing Investigator, Building Department
Jack Reisinger, Technical Services Manager, Building Department
Carol M. Heintz, Assistant City Clerk

Mr. Reisinger said, “This is established by the City of Port St. Lucie City Council, has been assigned specific duties, and operates in accordance with local ordinances, state statutes, and the Florida Building Code. Members of this Board, with the exception of the Building Official’s designee, serve without compensation. The Chairman of the Board is Michael Flaxman, and the Board is represented today by City Attorney Roger Orr. The Board agenda today consists of one application for Certificate Competency, several applications approved by staff and reciprocity, nine citation hearings, five disciplinary hearings, and Certification of Fines and Orders to Lien for three citations. If the Board has a question of any applicant, the applicant will be asked to come down to the podium to speak on his or her behalf. Once the application has been approved, you may stay for the remainder of the hearing or you may leave. Approved applicants must wait until Friday, September 14 to come

to the Licensing Office of Building B with all documents and fees to receive their Certificate of Competency. Please direct any questions you may have prior to the meeting to the staff table at the front row. As a reminder, this meeting is televised and will be aired on Channel 20 several times during the next month. We ask that you turn off all cell phones, and conduct yourselves accordingly."

2. SWEARING IN OF STAFF – Kevin Pierce, Donna Noto, Matthew Boettcher

3. APPROVAL OF MINUTES – JULY 12, 2012

There being no corrections, the minutes were unanimously approved.

4. APPLICATIONS FOR CERTIFICATE OF COMPETENCY

Applicant Name	Trade	
Bryan Tucker	Electrical	Must Register w/DBPR

Ms. Brown **moved** to approve the application of Bryan Tucker. Mr. Cseak **seconded** the motion, which **passed unanimously** by voice vote.

5. SWEARING IN OF APPROVED CONTRACTORS

The Assistant City Clerk administered the Oath of Testimony to Bryan Tucker. Chair Flaxman inquired, "Do you understand that you will be legally responsible for every job undertaken by your business?" The contractor replied in the affirmative. Chair Flaxman asked, "Do you understand that you will be financially responsible for every job undertaken by this business?" The contractor replied in the affirmative. Chair Flaxman questioned, "Do you understand that you are required to approve the work done on every job undertaken by this business?" The contractor replied in the affirmative. Chair Flaxman asked, "Do you understand your license is dependent upon how seriously you take these responsibilities?" The contractor replied in the affirmative. Chair Flaxman said, "Congratulations."

6. APPLICATIONS APPROVED THROUGH ADMINISTRATION (*No Board Action Required*)

Applicant Name	Trade
Juan Armendarez	Irrigation Sprinkler

7. APPLICATIONS APPROVED THROUGH RECIPROCITY (*No Board Action Required*)

Applicant Name	Trade	Jurisdiction
Charles Stone	Painting Contractor	St. Lucie
Peter Seymour	Electrical Contractor	Martin

8. CITATION HEARINGS

INVESTIGATOR KEVIN PIERCE

Citation #15746 – Susan Grimes – $160 – Engage in the business of a contractor without being duly certified or registered

Mr. Pierce testified, "I'm bringing Citation #15746 against Susan Grimes. The Florida Statute violated was 489.127(1)(F), and City Code Section 150.530(A)(6), engaging in the business or acting in the capacity of a contractor without being duly registered or certified. The scope of work performed was fence installation, and the date of the violation was July 24, 2012. The location of the violation was 2598 SW Aberdeen Street, and the method of service for the citation was certified mail. The violator requested this hearing."

The Assistant City Clerk administered the Oath of Testimony to Susan Grimes and Michael Muscanaro. Mr. Muscanaro asked, "What exactly did you observe at 3:00 on that date?" Mr. Pierce replied, "A contractor brought us a copy of a flyer or advertisement that was being distributed, and that advertisement is part of your packet. It says 'A Fence Company By Susan, all types fences, all types of needs.' The Florida State Statute violated say that person can't act in the capacity of a contractor, and they can't advertise themselves or their business as available for contracting unless they have the proper license." Mr. Muscanaro said, "In response to that if you look at the corporation itself you will notice that the registered agent is Michael Muscanaro. It's not Susan Grimes. Did you see that?" Mr. Pierce replied, "I did on Sunbiz." Mr. Muscanaro stated, "Michael Muscanaro is a certified residential contractor. It's registered and certified with the State of Florida. All we were trying to do was to test the waters. A simple phone call would have rectified this. Instead, we got a $160 fine through a certified letter. We are registered with the City, and I'm also a managing member. My name appears twice on this corporation. They chose to pick Susan's name when if they would have read it they would have seen my name and known who I was. Therefore, it's a conflict of paperwork."

Chair Flaxman asked, "Is the name of the business 'A Fence Company By Susan?'" Mr. Muscanaro replied, "Yes. That's a corporation we named." Chair Flaxman asked, "Is that registered with the state?" Mr. Muscanaro replied in the affirmative. Mr. Pierce noted, "I don't know if it's registered with the City has having a business tax license. He's free to make the statement that he's an officer of the company. However, FSS and City ordinance require that he just can't be an officer of the company. He needs to be the qualifier for 'A Fence Company By Susan.' If he's a locally licensed fence contractor, he needs to appear before you for a change of status to qualify an additional entity. If as a state certified contractor he wishes to qualify 'A Fence Company By Susan,' then he has to appear before the CILB and qualify an additional entity. Just because one is an officer of the company doesn't mean that his license covers that business. You have to officially be the qualifier of that company." Mr. Muscanro pointed out, "I'm registered with the state, so this isn't just a paperwork thing. I've dealt a long time with the City. I've pulled permits. When I did this, I spoke to Ms. Noto and told her what I had done. She told me I had to get it legal, so at that point I stopped. There was a minimal number of these business cards. My wife's birthday is July 24, and we were on a boat fishing. We weren't throwing at 3:00 p.m. At this particular address, a permit was pulled for a fence. I have photos, and it's over six years old. Why would we advertise on a home that already has a fence? This is just a paperwork misunderstanding. That $160 is a lot of money to me. I think it's excessive and I think it's wrong."

Mr. Pierce remarked, "It wouldn't make any difference to us what the circumstances were for the distribution of the card. This came in as a complaint from outside our department. If I walked into a convenience store and saw a business card on the wall that's advertising for business, I have no idea when the card was placed there. Specifically, it has to do with a company in Florida holding themselves out as a fence installation contractor, and there is no licensed qualifier for 'A Fence Company By Susan.' With regard to the phone call, it goes both ways. If I get an outside complaint, I'm not required by any statute or ordinance to call the contractor. If we send the citation and we spend the money to do a certified letter, it's on them to call us. If we had receipt of phone call in our office, we would tell you to come in a get a license. The citation stands. If you come in and get a license, we will drop the citation, because we are interested in compliance at every step of the way. If she had called me yesterday and said she was interested in getting licensed, I would have asked to have this withdrawn from the agenda, and gave her the opportunity to get licensed." Chair Flaxman said, "The complaint was that you had a

complaint about a business card being dropped off from a fence company that wasn't licensed." Mr. Pierce replied in the affirmative. Ms. Noto stated, "Actually they were flyers. The complainant had stated that they were flyers thrown on the driveway with a rock in a plastic bag." Chair Flaxman asked, "And this company is not licensed in the City or in the state?" Mr. Pierce replied, "I checked state and local databases for a license for Susan Grimes or 'A Fence Company By Susan,' and didn't find one." Mr. Muscanaro asked, "Did you check for Michael Muscanaro?" Mr. Pierce replied, "I'm not checking for Michael Muscanaro." Ms. Brown noted, "Your name doesn't appear on the flyer that's soliciting the business." Mr. Muscanaro commented, "But they have a copy of the corporation. I saw it when I was in the office. She showed it to me." Ms. Brown pointed out, "This solicitation doesn't have anything about you on here. If it said 'Michael Muscanaro doing business as 'A Fence Company By Susan,' would we be here then?" Mr. Pierce replied, "Yes. If he's a state certified contractor, he would have to go before this Board and qualify a second entity. If he's a locally licensed fence contractor, he would have to appear before you to qualify an additional entity. It has to be a one to one relationship."

Mr. Cseak asked, "Why didn't you just call the City and take care of this before you came here?" Mr. Muscanaro replied, "The way the economy is a woman's name could be a trigger to try and get business. I paid for it. I own it. It has a federal ID number, and it's registered with the state. Why couldn't I advertise something that I paid for?" Mr. Cseak replied, "You have not come before this Board to certify that company. If I'm a consumer and I'm getting this flyer, I'm assuming you're licensed. This is not a licensed company. You're soliciting this business. If it's not registered, then it's a violation. It is tough for everyone in business. This is soliciting for work." Mr. Muscanaro pointed out, "It says 'Registered Agent, Michael Muscanaro with the State of Florida,' and not with the City of Port St. Lucie. I could go to Lake County and do this." Chair Flaxman remarked, "You didn't register the name of this company with your license. That's our problem." Ms. Noto stated, "I know it's frustrating. However, it's not a rule that we're pulling out of the air. You have to have a qualifier of a company when it requires a license. You need to qualify 'A Fence Company By Susan.' You have to qualify her company and your company." Mr. Muscanaro noted, "I'm also a manager on the same thing. I know what the card says." Ms. Noto commented, "But you're not qualifying 'A Fence Company By Susan.' That's the difference." Mr. Oldakowski asked, "How long have you had this company?" Ms. Grimes replied, "The company is gone now, but I got it on April 16, 2012. It has been dissolved since then." Mr. Oldakowski

asked, "Did you have any success with the business?" Mr. Muscanaro replied in the negative. Ms. Grimes stated, "It wasn't successful, and not a dime was made off the company. I lost almost $1,000 with this." Mr. Muscanaro asked, "Who filed the complaint?" Mr. Pierce replied, "It's part of the public record. You can make a request to Ms. Noto and she will get you a copy." Ms. Noto commented, "The property owner at the address of the violation is the one who gave us the complaint."

Chair Flaxman asked, "And there was no fence installed by. . . ?" Ms. Noto replied in the negative. Mr. Pierce asked, "Is it your intention to reactivate this business?" Ms. Grimes replied in the negative. Ms. Brown **moved** to dismiss this action. Mr. Parish **seconded** the motion, which **passed unanimously** by voice vote.

Citation #15625 – Dennis Mecca – $760 – Commence or perform work for which a building permit is required without such building permit being in effect

Mr. Pierce testified, "We have three citations for Dennis Mecca, and I believe that you received a copy of an e-mail." Mr. Reisinger said, "Mr. Mecca's attorney had submitted a request asking for a delay. He didn't receive the information on him, because he was just obtained. He asked that we postpone this case until they meet with staff." Mr. Cseak **moved** to table. Mr. Parish **seconded** the motion. The City Attorney said, "To a date certain." Mr. Cseak said, "I **move** to table this item to the meeting of October 11, 2012, on the following citations: #15625, #15626, and #15731 for Dennis Mecca. Vice Chair Zientz **seconded** the motion, which **passed unanimously** by voice vote.

Citation #15749 – Marc Flaxman – $760 – Falsely hold himself or his business out as a licensee; Citation #15758 – $760 – Engage in the business of a contractor without being duly certified or registered; Citation #15759 – $760 – Willfully or deliberately disregarding any municipal ordinance relating to uncertified or unregistered contractors; Citation 15761 – $760 – Engage in the business of a contractor without being duly certified or registered; and Citation #15762 – $760 – Willfully or deliberately disregarding any municipal ordinance relating to uncertified or unregistered contractors

Mr. Reisinger said, "We also have a series of other citations with similar requests asking for a postponement." Mr. Cseak asked, "Is that the next five?" Mr. Reisinger replied, "Correct." Ms. Noto stated, "I received a phone call stating that he wasn't going to be able to make it. Mr. Flaxman called again this morning saying that he was going to retain Counsel,

and was asking for a postponement until the meeting of October 11, 2012." Mr. Cseak **moved** to table to the meeting of October 11, 2012, the following citations for Marc Flaxman: #15749, #15758, #15759, #15761, and #15752. Vice Chair Zientz **seconded** the motion, which **passed unanimously** by voice vote.

DISCIPLINARY HEARING - TABLED

City of Port St. Lucie, Kevin Pierce, versus Greta Smith, All Year Cooling and Heating, Inc.

Violation of FBC 105.4 and City Code Section 150.105.4, Conditions of Permits

Mr. Reisinger stated, "This was tabled, but we have had a complication in service, so we're going to have to postpone this to the meeting of October 11, 2012.

City of Port St. Lucie, Kevin Pierce, versus Robert Stott, All Shutters and Screens

Violation of FBC 105.4 and City Code Section 150.105.4, Conditions of Permits

Mr. Reisinger said, "This complaint was filed by the City of Port St. Lucie Licensing Investigator Kevin Pierce against the license of Robert Stott, a certified specialty contractor doing business as All Shutters and Screens. A Notice of Non-Compliance was sent regular mail to the address of record on March 29, 2012. The formal complaint was sent to the violator on June 6, 2012. The contractor was charged with violating the FBC 105.4 and City Code Section 150.105.4, Conditions of a Permit. The contractor has not responded in writing to the complaint." Mr. Pierce testified, "On March 29, 2012, we sent a Notice of Non-Compliance to Robert Stott at the address of record. Mr. Stott does business as All Shutters and Screens. The Notice of Non-Compliance was concerning an expired shutter permit issued for 11871 SW Aventino Drive, an expired screen enclosure permit for 328 NW Shoreview Drive, and an expired pool enclosure permit issued at 6940 NW Hershey Circle. These Notices of Non-Compliance were issued for expired permits, meaning that Mr. Stott failed to get the necessary approved Building Department inspections within a 180-day period. The contractor was required to obtain new permits and an approved inspection for compliance on each property by May 2, 2012. To date, the violations exist, he has not responded, and I've had no conversation with Mr. Stott." (**Clerk's Note:** Mr. Stott was not present).

Ms. Brown asked, "Didn't he say when he was here before that he had started rectifying some of these issues?" Ms. Noto replied,

"I don't know. I don't remember what he said. It looks like he hasn't even attempted to get into compliance with any of these." Mr. Cseak said, "Based on the testimony heard today and the evidence produced by the parties in this case, I **move** to find that the following facts did occur and the Conclusions of Law are as follows: On June 6, 2012, a complaint was filed by the City of Port St. Lucie against the license of Robert Stott pursuant to City Code Section 150.520.2. Notice was achieved by certified mail. The contractor has been charged with and did violate FBC 105.4 and City Code Section 150.105.4." Mr. Oldakowski **seconded** the motion, which **passed unanimously** by voice vote. Chair Flaxman noted, "Regarding Mr. Stott's file, On July 12, 2012, no permit, disciplinary action, $205 fine paid. One formal complaint for expired permits, dismissed for compliance December 8, 2011." Vice Chair Zientz stated, "My opinion would be that he receive at minimum a Letter of Reprimand. If he's doing business, then it would hurt his pocket, and maybe teach him a lesson." Ms. Noto noted, "He has a number of permits issued that he's working on, and a few in Plan Review that he's waiting for." Mr. Cseak asked, "If we suspend his license, can he finish what he's working on?" Ms. Noto replied in the affirmative. Mr. Oldakowski asked, "Can he schedule inspections?" Ms. Noto replied in the affirmative. Mr. Cseak stated, "Based on the Findings of Fact and Conclusions of Law, I **move** to order the following disciplinary action: Level 3, Suspension of his permitting privileges for 365 days, or until he becomes compliant with his past violations that he has not taken care of, and pay an administrative fee of $205." Vice Chair Zientz **seconded** the motion, which **passed unanimously** by voice vote. Mr. Cseak said, "I **move** to recommend to the CILB that a Letter of Reprimand be placed in the contractor's file." Vice Chair Zientz **seconded** the motion, which **passed unanimously** by voice vote.

City of Port St. Lucie, Kevin Pierce, versus David Noon, Tradewind Solar

Violation of FBC 105.4 and City Code Section 150.105.4, Conditions of Permits

Mr. Reisinger said, "This complaint was filed by the City of Port St. Lucie Licensing Investigator Kevin Pierce against the license of Robert David Noon, a certified solar contractor doing business as Tradewind Solar. A Notice of Non-Compliance was sent regular mail to the address of record on February 22, 2012. The formal complaint was sent to the violator on June 6, 2012. The contractor was charged with violating the FBC 105.4 and City Code Section 150.105.4, Conditions of a Permit. The contractor's response is in your packet." The Assistant City Clerk

administered the Oath of Testimony to David Noon. Mr. Pierce testified, "On February 27, 2012, we sent a Notice of Non-Compliance to David Noon, doing business as Tradewind Solar regarding ten expired permits. Mr. Noon was required to obtain a new permit for each of the jobs and a passed inspection on each of the properties by March 30, 2012. Staff has had several conversations with Mr. Noon regarding the violations, and e-mailed him a copy of the Notice of Non-Compliance on April 9, 2012. To date, one property in the case is in compliance. The nine remaining properties requiring either/or or both a new permit and/or passed inspection are 114 Fatima, 2914 SE Buccaneer, 2662 SE Hamden, 179 NW Lawton, 3066 SW Savona, 2562 SE Deckard, 2771 SE Buccaneer, 2361 SE Corsica, and 2073 SW Bellevue."

Ms. Brown asked, "What's the status today?" Mr. Noon replied, "They're all closed out except one. The one on Lawton, the family lives up north. It's in Magnolia Groves, and the gate guards won't let me in. They have tried to call them, but the number was disconnected. They have it listed that they will be back in September." Mr. Pierce replied, "Compliance on these would be an approved Building Department inspection." Ms. Brown asked, "Is that yes or no?" Mr. Noon stated, "When I purchased the business, the previous owner never pulled a permit. Last year alone, I had in excess of $50,000 I had to pay out in fines. I didn't have a responsibility to do it, but I didn't want the homeowners to have to deal with this, because I knew they would be lost. These particular issues were about the same time as the transitioning in of the new Building Codes. I got the permit, went to get it inspected, but it didn't make it through Plan Review, because of the new Codes. My manufacturer is in California, so we were constantly going back and forth. They would send new engineering drawings, and I would have to send them back. That took forever. I'm just trying to clean up the previous owner's mess." Ms. Noto commented, "If I may testify on Mr. Noon's behalf, he has worked with us tremendously in the past regarding the previous owner of Tradewind Solar that left a number of non-permitted jobs. He has definitely stepped up in that regard." Mr. Cseak pointed out, "What I'm hearing is that he's making an effort." Ms. Noto remarked, "Absolutely. He definitely went above and beyond." Mr. Cseak **moved** to dismiss. Mr. Parish **seconded** the motion.

Mr. Pierce said, "If we do dismiss, there is not any way for us to hold him accountable." Mr. Noon stated, "I got online and checked after I called in the inspections. Some of these are 20 years old where they only have one strap going across the panel, so I had to bring them all up to Code. Every one of them, except for the one online has passed inspection." Mr. Cseak asked, "Do

you really want us to check? It sounds like he's doing everything possible." Vice Chair Zientz noted, "I think we should make a motion to table it, and then if he complies, dismiss it, and do not bring it back before us." Mr. Cseak **moved** to table to the meeting of October 11, 2012; if the owner comes into compliance, then it's dismissed. Vice Chair Zientz **seconded** the motion, which **passed unanimously** by voice vote. Vice Chair Zientz commented, "I want to publicly thank you for doing the right thing, because we see people who do the wrong thing here every month. You're to be commended for stepping up and taking someone else's mess and cleaning it up."

City of Port St. Lucie, Kevin Pierce, versus David Noon, Tradewind Solar

Violation of FBC 105.4 and City Code Section 150.105.4, Conditions of Permits

Mr. Reisinger said, "This complaint was filed by the City of Port St. Lucie Licensing Investigator Kevin Pierce against the license of Robert David Noon, a certified solar contractor doing business as Tradewind Solar. The formal complaint was sent to the violator on June 6, 2012. The contractor was charged with violating FBC 105.4 and City Code Section 150.105.4, Conditions of a Permit. The contractor's response is in your packet." Mr. Pierce testified, "Permit #1102639 was issued to David Noon, Tradewind Solar, to install a solar water heater at 1433 SE Bayharbor and was expired due to no passed inspection within 180 days. Permit 1104299 issued to install a pool solar heater expired for no passed inspection within 180 days. As has been stated by everyone here, Mr. Noon stepped into a very difficult situation. He took on more than I would have. I would recommend to the Board that we table this. If Mr. Noon is found in compliance by the meeting of October 11, 2012, he need not reappear." Mr. Cseak **moved** to table this case to the meeting of October 11, 2012. If it comes into compliance, it will be dismissed. Mr. Oldakowski **seconded** the motion, which **passed unanimously** by voice vote.

City of Port St. Lucie Matthew Boettcher versus Darrick Bailey, A Great Fence, LLC

Violation of FBC 105.4 and City Code Section 150.105.4, Conditions of Permits

Mr. Reisinger said, "This complaint was filed by the City of Port St. Lucie Licensing Investigator Matthew Boettcher against the license of Darrick Bailey, a locally licensed fence contractor, doing business as A Great Fence, LLC. The formal

complaint was sent to the violator on June 6, 2012. The contractor was charged with violating FSS 489.129(1)(g) and City Code Section 150.520.3(f), Committing mismanagement and misconduct, and City Code Section 150.520(3)(m), proceeding on any job without obtaining applicable inspections. The contractor has not responded in writing to the complaint. "Mr. Boettcher testified, "Permit #1001640 was issued to Darrick Bailey, A Great Fence, LLC, to install a six-foot vinyl fence to be used as a pool safety barrier at 526 SW Violet Avenue. The permit eventually expired for no passed inspections within 180 days. Permit #1103772 was issued to replace the expired permit. The inspection failed and has not been re-inspected. The permit is now expired for no passed inspections within 180 days. He has since pulled a new permit, and I went for inspection on that the other day. It appears that it failed for the gates being locked, and they weren't able to complete the inspection."

The Assistant City Clerk administered the Oath of Testimony to Darrick Bailey. Chair Flaxman asked, "Are you getting that inspected today?" Mr. Bailey replied, "I believe the inspection was yesterday. The problem we're having is that the owner of the house resides in New York. We have sent two certified letters. I have been in contact with the person that's renting the house, but he rents it out through a realtor, so he doesn't have any direct contact with the owner of the house. This is the third or fourth permit that we've pulled. I have left letters on the renter's door as well as in the mailbox asking that the locks be removed from the gates. The latches are both 54 inches, and there are springs on the gates. Everything will meet Pool Code, but the locks are not off the gates. There's no way to test the gates to make sure that they self close without having the locks off the gates." Chair Flaxman asked, "Were you there for the last inspection?" Mr. Bailey replied, "I was not there." Chair Flaxman asked, "Don't you think you should be there, so that this doesn't keep happening and you're not wasting people's time? You could call the inspector and tell him the homeowners aren't home. I know you could take care of it."

Mr. Bailey noted, "I have met personally with the gentleman who's renting the house. I told them when the inspection was and asked them to take the locks off. I also sent one of my fence guys over there as well to verify everything." Chair Flaxman commented, "You need to go there. This is a serious situation. It's life/safety." Mr. Bailey pointed out, "I was there, but I wasn't there when the inspector was there. I have done everything I can to try and get hold of the homeowner as well as the renter." Ms. Brown asked, "How about the realtor? Do you know who the realtor is?" Mr. Bailey replied in the negative. Ms. Brown remarked, "I would find out who the realtor is and get

their assistance, because they're probably in a better position to be in touch with that renter." Vice Chair Zientz asked, "Do we even know if the renter has a key to the lock?" Mr. Bailey replied, "When I spoke to him about taking the locks off the gates, he didn't inform me that he didn't have the keys. I don't know if he does or not." Chair Flaxman said, "So the gates are locked, and the inspector can't get into the backyard. Is that correct?" Mr. Boettcher stated, "He needs to be able to verify that the gates self close and latch. If they're locked, he can't verify."

Mr. Bailey noted, "The latches themselves are above 54 inches. There are self-closing hinges on the gates. Aesthetically looking at it, everything will meet Pool Code." Mr. Oldakowski asked, "How did this go for two years?" Mr. Bailey replied, "When we originally pulled the permit, I thought that my office had taken care of it. As soon as I received the letter from the City, I pulled another two or three permits, put the paperwork on the fence, and went from there. As far as the first time of not getting a passed inspection, that was my fault for not following up on that to make sure that it had passed inspection." Mr. Boettcher commented, "I believe it's actually the fourth permit for the fence on the property. One was an owner/builder, and then there were three from him." Mr. Parish pointed out, "I think it's pretty obvious that you're trying. Do you have a way that you can get in touch with the realtor? Maybe the homeowner could tell you who's responsible for that property?" Mr. Bailey replied, "That's probably the best way to go." Mr. Oldakowski asked, "Has this expired again?" Ms. Noto replied in the negative. Mr. Reisinger asked, "Can you ask the tenant for the key?" Mr. Bailey replied, "At this point, I'm going to speak with the realtor and ask the tenant for the key." Mr. Cseak **moved** to table this until the meeting of October 11, 2012. Ms. Noto remarked, "I would like to get copies of all of the certified letters you have sent." Ms. Brown **seconded** the motion, which **passed unanimously** by voice vote.

11. CERTIFICATION OF FINES AND ORDERS TO LIEN

Citation	Violator Name	Amt.
15323	Uriel Cotterell	$160
15377	Romeo John	$160
15683	Ernest Bilinsky	$160

Mr. Reisinger said, "The alleged violators have not requested an administrative hearing, and the citations have not been paid." Chair Flaxman stated, "In accordance with City Code Section 150.530(A)(6), I **move** to certify the fines and orders to lien

for unlicensed contracting on Citation #15323, Uriel Cotterell; Citation #15377, Romeo John; and Citation #15683, Ernest Bilinsky." Ms. Brown **seconded** the motion, which **passed unanimously** by voice vote.

ADJOURN

There being no further business, the meeting adjourned at 9:55 a.m.

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Michael Flaxman, Chairman

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Carol M. Heintz, Assistant City Clerk