Vice Mayor Nickerson: We are going to call to order the Code Enforcement Committee.

[background chatter]

The Code Enforcement Committee meeting For Tuesday, September the 4th will begin at 7:07 PM. We've already-- That's the call to order. We've already had the moment of silent meditation. We've already had the pledge of allegiance. Madam clerk, can I please have roll call?

Clerk: Role call. Vice Mayor Nickerson.

Nickerson: Here

Clerk: Council Person Dreher.

Council Person Dreher: Here.

Clerk: Council Person Roman.

Council Person Roman: Here.

Nickerson: Thank you very much. Do I have approval of the agenda? We have two agenda items. One's a tracking report [inaudible 00:00:59]

Roman: [inaudible 00:01:00] approval.

Dreher: Second.

Nickerson: Thank you very much. All in favor, say aye?

Speakers: Aye.

Nickerson: Do I have approval of the minutes?

Roman: I'll approve approval of the minutes.

Nickerson: Do I have a second?

Speaker 3: Second.
Nickerson: Thank you very much. All in favor say aye?

Speakers: Aye

Nickerson: Right now do I have anybody from good and welfare for anything that's on the agenda? Right now? Seeing nothing. Hearing none. We are going to move right to the agenda items. The first one is a G1. That is a swimming pool on 88th Street. I din't want to put the full address on there just for sake of safety reasons. There is a swimming pool on 88th Street that is at a house that currently is not being occupied. Being that the house is not being occupied, the swimming pool at that location is in extremely bad shape.

I met with the manager and our Code Enforcement officer on that recently. I'm getting complaints from the neighbors because from that location mosquitoes get in really bad. They're really in fear of mosquitoes, Zika and other things from that swimming pool because it's in such a bad shape. Being that I met with the manager and the Code Enforcement officer about this particular swimming pool, I wanted to see if we could get that swimming pool pumped. To get that water out of there because its in such a bad shape. Being that was the case we would have to-- I will use my discretionary [00:03:07 unintelligible] to pay for a swimming pool company to come out and pump that.

I think that being that the discretionary fund tax pays money, I wanted to come to the committee because I think that it is something that is very well worth it. It is something that the neighbors are asking for. As you can see, it is in terrible shape. It is almost to an emergency degree. I didn't want to bring that to the committee, even though [unintelligible 00:03:35] our discretionary fund to see if you guys had any questions about it, whether you thought that was a good idea or not is something that you guys would be able to back or not. I wanted to open it up to the both of you [inaudible 00:03:48]. Yes?

Roman: My first question. You mentioned this is a gated home, so?

Nickerson: This is a home that's not being occupied, but of course, is owned by somebody.

Roman: Do we know who owns it? Have we tried to contact the owners?

Nickerson: We have. The thing about it is with this particular property is that the same thing occurred years ago under our last manager. We went through the same process also back then. We had to do the same thing then because we did not get in touch with the [inaudible 00:04:31]
Roman: Is it the same owners?

Nickerson: It's the same.

?Speaker: Which house is this?

Roman: If I may, what have we done to contact the- to try to contact? How have we tried to reach out to these owners and for how long that leads us to believe that they are not answering?

Nickerson: Yes, so when I first got this information, I came here and had a meeting with the Code Enforcement officer first. We looked up the information, and he tried getting in contact with the people that own the property. I was in touch with him and he said he wasn't able to be in contact with them. Also, myself, I got the phone number that was [00:05:42 unintelligible] from him. I contacted and when I called, I got a voicemail but no voicemail message can be taken because the voicemail was full or whatever it is. I got that when I was contacting them.

I have no problem with- which is why I wanted to bring it to the committee, I have no problem with trying to go through a different process or a more aggressive process that I might not know about to get in touch with these individuals. I just know that because of the way that the swimming pool is, I just know that because of the residents that are surrounding it that have been- that are getting very scared because of that situation.

Also understand that that swimming pool being like that, that the fence that' around it is not held up either. You can walk right back there. That means that- And during this past month of August, we are in the beginning of September, but during the month of August, the reason why this was also something that I was trying to take care of very quickly simply because school was still out. I was really concerned that teenagers and kids might go back there and somebody is going to fall in there or dare somebody to jump in, you know how teenagers are.

Also in the past with this property, there have been squatters in the past. All of those things I was really concerned that something could happen to somebody.

Like I said, the reason why I am bringing it to the committee is because I do want to, if possible, if there is another suggestion, because three minds are always better than two or one. Another way that we can get in touch with the-- Another route that I haven't used that we can get in touch with the owners. I have no problem trying to do that again before we take action on our own.
Roman: If I may, I'm just wondering if this is a health issue?

Nickerson: That's what I was looking at.

Roman: If this is something done legally and now the question is to our attorney-

[chuckles]

?Speaker: Heads up.

[laughter]

Roman: - if there is something that maybe you know that or you have to look into it that we can possibly do?

Attorney: Generally this is a dangerous condition. Under the general health and welfare of the village, the village has the authority to go in and take action in order to correct the dangerous condition. To the extent that there is a cost associated with that, that should be quantified and a [00:08:38 unintelligible] accordingly placed on the property. Chapter 5 of the code provides for that process.

Nickerson: Looking at the information, looking at it, the health situation, I didn't want to-- You know before I make a move, I always want to bring it to the committee and not make moves of my own. What are your suggestions you guys? What do you guys think and you guys want to one more time try to reach out first for another maybe week or so before you make a move again if we still don't have any response or we can't because we still don't have any way of communicating with them, then we move forward with this? What do you guys suggest? What do you guys think? Yes?

Attorney: I had a quick question. You did state how long ago was this uncovered? Like a week ago?

Nickerson: No. This was uncovered about a month ago so for the past month I've been going through-- Yes. For the past month I have been aggressively going through the motions of trying to get in touch with them and also having meetings with the manager trying to see what legally we could do just like the attorney was just saying because of how bad it is, what I showed you, the health--
Nickerson: Yes, so that's why I decided to suggest that I would move on and move forward and go through a pool company, get that pumped, that water pumped up out of there but before I did that, I wanted to come to you guys to see what you guys thought about it.

Nickerson: Let me just say, before the manager answers. Being that on the chair of Code Enforcement I was trying to not put another job on her plate before I could do what I could do first and then come to her saying, "Look, I'm down to the end. These are our last options." Then even though that would be the last option to go ahead, use the discretionary fund, pump the water.

I still wanted to come and bring it to you guys but when I did come to her she was very great and clarified things for me. She helped me out [unintelligible 00:11:33] in a major way but I didn't want to go in with my homework done, in a way, because it's what we get paid to do the work. I wanted to go in. I didn't want to just get these complaints and just throw it on her lap without working first. I did do my diligence first and then I came to her with the summarization of everything.

Female speaker: [laughs] I appreciate that, Vice Mayor Nickerson but our Code Enforcement officer had called on a number of occasions, gone by, written citations. No result because, I guess, no one is responding. We're in a situation now where we are having to do something. I think in the past we've done the work and then the lien on the property, I think that's where we're at again but that doesn't-- [crosstalk]

Male speaker: Solve the issue.

Female speaker: - five or six years ago so that's happening again but I don't now that- in two years or whenever we have this nuisance come up again, we have to deal with it again in this way but we're getting quotes from pool companies. That's where we're at and also I know that Vice Mayor Nickerson mentioned that he also wants to maybe ask your thoughts about should we drain it all the way, should we leave in some water, are we going to damage the pool, how much are we going to do in this situation?
Dreher: Who-- Sorry.

Nickerson: Yes, and then I'll come to you and then I'll come to you. That was one of the things which was the second part of the conversation before we get to that point because last time that this was done many years ago, I remember the manager that time had it drained and then we filled it with just some water with some chlorine in it, like a quarter of the way because we didn't want the sun to damage the empty pool, the concrete could get water. [unintelligible 00:13:33] the concrete. It would pop the concrete and [unintelligible 00:13:36] we didn't want to damage somebody's property so we did that.

The only reason why I brought that up as a question was because I said, we can do that and fill it a quarter of the way, put some chlorine but eventually, with the rain it's just going to get back to that way but it's better not to damage the [unintelligible 00:13:56] property. We just know that it's something that's going to be an ongoing thing because there's no electricity at that property. There's rain, nobody cleans it out so it's just going to fill up again and there's no electricity, the pump's not running so eventually it's going to get back to that way again but right now, as you see, it's a terrible situation. Let me go with the Council Person Dreher, really, really quick.

Dreher: What would the pooling company recommend based on the current situation? Drain it halfway or whatever percentage? What did we ask as well?

Nickerson: What we're doing now is the management getting quotes from different pool companies to try to get the lowest quote for the job and then once we get that done then she's going to move on to see what they recommend.

Dreher: Okay, so that would be the second step?

Nickerson: That would be the second-- [crosstalk]

Dreher: That was your question though was the second point here you brought up that you wanted to discuss upon us whether we fill it halfway or to what level. That's why I'm bringing this to you to asking you what has the pooling company recommended? By now I understand you were just waiting to get that.

Nickerson: Yes, we're waiting to get that. Like I said, the only reason why I'm bringing this to you and bringing you guys these questions is because I've always been a open and transparent person. I'm just going through the process that we're going through currently and
you guys might also have your own suggestions or comments and I want to take those into consideration also so that you guys might have come up with something else that was on your mind, we could also bring those questions to the pool company, all right?

Because we don't meet all the time. Instead of letting this hang out there into the next community meeting, which is too months from now, I will have to present this all to you guys tonight so that we can have this the discussion. If anything that's to come up from this, I can hear it tonight so that later on when this happens again or later on when we take care of this, people don't say, "Oh, well, I wanted to do this," or, "I wanted to do this," or, "I wanted to do that." I want all those questions that to able to come up tonight in this discussion, and open and honest discussion. Council Person Mathis.

Mathis: You said this is a house next to Mayor

Nickerson: It's the house.

Mathis: I was the head of [unintelligible 00:16:24] the last time this happened. You might want to look in the file because I don't think the person that is listed on the house is the owner. I think it's a trust and when we finally did get in touch with them, they did maintain it for a while but it seems like it's gotten back to that point.

Nickerson: Okay. That might be the reason why we had- because it was hard getting in touch with the owner and we were going back and forth and just wrapping our head around why we can't.

Mathis: Take a look at the file. It might be in there.

Nickerson: Okay, all right. Instead of the information that was online.

Mathis: Before you-- [crosstalk] Go and spend out any money on our own. Also check to see if- because we did put a lien on it but because we did the work and then they came in and-- I'd like to see if the lien was paid [inaudible 00:17:13]

Nickerson: Thank you [unintelligible 00:17:16]

Rome: I think we definitely need to take care of it because it's a health issue and I recall this coming up a couple of months ago. We should take care of it but I also would like to, along with what [unintelligible 00:17:34] has just said, just go an extra mile to try to get a hold of
the owners because we're in the middle of still hurricane season and it's been raining quiet a bit and this is just going to continue to happen. What are we going to do? Continue to just support this and take care of this? Do we need to mail? Do we have an address that perhaps if we can't get a hold of them by phone that we mail them something? A letter, I don't know something legally. I don't know. [unintelligible 00:18:06] ideas. [crosstalk]

?Female speaker: -certainly go extra to see if we can track down and also see about the trust as opposed to the individual owner which-so I'll follow up with you- [chuckles]

Nickerson: You go do that.

?Female speaker: - Vice Mayor, and I'll let the committee know as well what we do [unintelligible 00:18:25] result as quickly as possible so I hope to have something for you within a week.

Nickerson: Thank you very much. Is there--

Rome: [unintelligible 00:18:32] the best thing is are we going to wait a week or--

Nickerson: What we're going to do is, and I appreciate everything.

Dreher: If you let me add, if you want my recommendation as well.

Nickerson: Of course.

Dreher: On board as well. Definitely it's a health issue. As far as the second point, whether we drain it halfway, second way, I'm no expert there, so I will leave it up to the experts to make that recommendation. Perhaps ask the pooling company what's their recommendation. I just don't feel comfortable making that decision especially if it's going to impact the pool infrastructure or whatever. What's the best practices based on this current situation? I would get the professionals to guide us through that.

Mathis: Also because we know about it [inaudible 00:19:25]

Nickerson: I appreciate all of these suggestions and we're going to implement all of these. Council Person Mathis has made a great point. He said that we should consider the police because we know about this.
Female speaker: Yellow tape.

Nickerson: We should consider the police putting a yellow tape around the- at least the back pool area to track [unintelligible 00:19:55] so that people know. So there's a caution when people walk back there. We can do that, and thank you Council Person Dreher, thank you Council Person Mathis, thank you Council Person Roman. I appreciate everything. Is there anybody from the audience right now that would like to have any comment on this? Say your name and address for the record.

Garcia: [unintelligible 00:20:24] Garcia, 500, North West, 87th Street. I don't think [unintelligible 00:20:28].

Nickerson: Yes, [unintelligible 00:20:28] just talk into it because he [unintelligible 00:20:30]

Garcia: The ideas that you put out [unintelligible 00:20:34] the owners should definitely find a way to contact them. County records usually will tell you if it's a trust or- and that's public records in general, you can look on the county website and normally they'll tell you who is the actual owner of the property even if it's listed under somebody else. Even sending those certified letters to let them know, "Hey, there's a problem." You've done liens in the past, from what I can tell and sometimes they respond faster to money issues than they do through just contacting them in general [unintelligible 00:21:05] usually a motivator.

At least give it enough time before spending the funds to pump it out yourselves. Since you had to do it in the past, it seems like they just let it go. It's like, "Oh, well, it's not my problem. It will get taken care of." But being insistent on that I think is an excellent idea and possibly another week or so for you guys to try to reach them. If not then something needs to be done safety-wise.

Nickerson: Thank you. Thank you very much. Anyone else? Hearing none, we'll close public comment right now. We are going to-- Anybody else up here on the dais? Want to say anything else? We are going to move right on to G2. If we look here, there is nothing here that has to be discussed tonight. Council Person Roman do you want to say anything about the home of the month. That's home of the month [inaudible 00:22:20]

Roman: I believe the committee should be coming up with the September homes. I received some emails this week actually, with some nominations and I believe that they said that the
signs are still okay, so we are okay, I think, for the next couple months we'll see after the rainy season if they need to be replaced right after that or if they'll hang on for a little while longer.

We did get an email from another resident and I don't have it in front of me, but commenting on they've been living here for quite a long time and I think they were the winners of last month and they were just really ecstatic about it, really happy and just mentioned what a great program it is. I'm just happy that it's convenient [unintelligible 00:23:09] people are really enjoying it.

Nickerson: Thank you very much. Is there anything else on the tracking report that you would like to [inaudible 00:23:22] like to go over? I know we have the septic sewer special council meeting at 7:30.

Dreher: Yes, but I have a question on it.

Nickerson: No, I'm going to-- [crosstalk]

Dreher: Yes, we do.

Roman: I'd like to bring up item number six.

Nickerson: Council Person Dreher is there anything that you wanted to say about the--

Dreher: Yes. It's not in the actual tracking report, but it's something I had reported to Christian in regards to the El Portal sign, but we can table it off next meeting if you are not prepared though, but--

Female speaker: I think that's public order.

Female speaker: That's public order.

Dreher: Yes, and as well because we had Garcia as well help with the picking up of that whole effort so just wanted to give more insights to the committee. Wherever you will like to discuss it, we can definitely--

?Roman: Okay, I can just give you a quick update.

Dreher: Sure.
Roman: We are awaiting the insurance funds for the cleanup of that sign on North Miami Avenue. The funds are sent to us from the insurance company on last Thursday so when we get the check, we have the contractor already ready to come in and do the sign. We picked up as much of the sign as we could, but we only have two men and they aren't able to pick up [unintelligible 00:24:48] and concrete and we don't have the equipment and we didn't want to rent that because I don't want to incur more expenses. I didn't know it would take this long but it has taken a very long time so we are good on this. We'll have the funds in hand hopefully very soon from our insurer and we will get the work done. I will keep you posted on that as well.

Dreher: Great.

Nickerson: Anything else Council Person Dreher would like to-- [crosstalk]

Dreher: Do you guys have any questions regarding the sign, or you guys knew already?

Nickerson: No, I have no question. I personally have no questions about it. Council Person Roman or Council Person Mathis?

Mathis: I don't.

Dreher: Just by the way it's one of the main signs to our village which represents us so far it's been damaged and that's why we have been actually trying to I think the acting chief she is even has helped us as well try to get with the insurance, try to get us well where we are at with the agent trying to replace that. It's important because it's one of our entry points to the village and it represents us. Just FYI, we have been working with that as well in the last couple weeks with Christian. Just so you know.

Nickerson: No, I understand. I appreciate it. I have full confidence in our village manager and I believe that she's going through the correct process in order to get that done and I have full confidence that it will be done when it's able to be done. Thank you very much.

Dreher: You're welcome.

Nickerson: Council Person Roman [inaudible 00:26:25]?

Roman: Not on the sign. If I may on item six of the uninhabitable structures and homes. It's just been brought to my attention again and I did email the manager this week in regards to
there's a home on the northwest side which is in really bad shape if I'm not mistaking. I drove by it and it looks like you could almost see inside the home from the outside but the home is occupied. We did discuss at the last meeting that there is some help from the county that they could apply for.

When I happened to ask the Code Enforcement if the letter was brought to them it wasn't, but the manager did give the direction to please bring the letter to the resident to see if they can possibly apply for this program and get some help. I don't know what else we can do. I know that there are residents that have brought it to my attention several times, that they are worried for the residents that live there and also with hurricane season, God forbid another hurricane comes our way what will happen? Where that debris will go? Et cetera. I just thought that I'd bring it up on the record again and [inaudible 00:27:47].

Female speaker: Yes, we had looked into the uninhabitable structure program through the county. I did ask Code Enforcement Officer Garcia to share that information, unfortunately I think he got inundated with some things and it fell by the wayside. I reminded him again in writing and I asked him to let me know as soon as it's done in writing when he has corresponded with them, but what we do know is that the county has already designated that area. They haven't condemned it, but they have already designated it uninhabitable.

Nickerson: The house itself?

Female speaker: The house itself. It's not condemned so they can still live there. It's just that it was designated that already by the county. They still need to take advantage of the program and do whatever is applicable that it's the homeowners so I will have him follow up with them as quickly as we can so that they are taking part of the program--

Roman: Aware there is this program.

Female speaker: Yes, and that there maybe some assistance for them.

Mathis: Where does that leave us as far as it being inhabitable while they are still living [inaudible 00:29:01]?

Female speaker: It's a county matter. It's not enforceable by us. It's out of our hands and jurisdiction.
Nickerson: Council Person Dreher? Does anybody on the dias, Council Person Dreher, Council Person Mathis, Council Person Roman, Village Clerk Mr Colby, madam manager, sir attorney, does anybody have anything else that you guys have questions on or have comments on in regards to code enforcement? Is there anybody out there for good and welfare that has any questions or comments or anything on code enforcement?

Male speaker: My name is [unintelligible 00:29:52] I'm on the 40[inaudible 00:29:53] I realized the waste management- the waste truck, every time it pass by, picking up those [unintelligible 00:30:05] they always leave a black mark like grease on the floor [unintelligible 00:30:10] They look very ugly. I think you know they have to fix those truck before they send [unintelligible 00:30:16].

Nickerson: I got it. I got you.

Male speaker: Garbage juice.

Nickerson: The garbage-- I got you. We'll make a phone call over there, Ernest, and see what they can do about that. I appreciate it. I appreciate it.

Male speaker: Good evening.

Nickerson: Good evening.

Dreher: Good evening.

Male speaker: I most sincerely thank you all for allowing me the opportunity to come before your council yet again. For the good of [unintelligible 00:30:47] to reiterate to you somewhat in a rhetorical way, but also a very significant way. Last year, we had a very busy year of hurricanes and some storms and unfortunately, [unintelligible 00:31:04] is one of [inaudible 00:31:05] because of the huge vegetation that you have, as well as the very seasoned mature homes, so the construction line in the '50s and the '60s.

This past weekend, we had a storm pass through South Florida. It didn't even reach the level of category one. We had 4,000 plus residents who lost power. It got all restored by yesterday. We give thanks [unintelligible 00:31:39]. Why I stand here this evening embracing the opportunity to speak to you and we have [unintelligible 00:31:46] as always is because a lot of the people have become very lax, because this season [unintelligible 00:31:56] the last year.
I don't know how well you've been following what's going on in the atmosphere, but at the present time, there are two systems moving off the African coast [unintelligible 00:32:10] the Atlantic. I say that to you, because quite frankly, I don't know whether your residents are aware that one of these systems are going to be close to South Florida, according to both the European and the American [unintelligible 00:32:26].

If it gets closer than what we had this past week, or even more rain potentially exists for again, a repeat of last year with adverse quantities of debris and a lot of [unintelligible 00:32:44] breaking.

This time [unintelligible 00:32:47] tell you is basically to encourage your residents to please take proactive measures. To cut back on some vegetation [unintelligible 00:32:53] pretty close to the power lines, to literally secure dead branches by removing them from the trees. Also, by all means, make sure that whatever systems you have for drainage [unintelligible 00:33:08] blocked up, whether it be a-- I know you have stormwater drains, et cetera and [unintelligible 00:33:12] you do have some channels going towards the canals, et cetera.

Those who are on the canal banks, please do whatever you can to assist South Florida Water Management and having them come by, remove debris that's floating in the canals, because if you follow what's going on [unintelligible 00:33:30] gates, there goes a hundred [unintelligible 00:33:33] avenue, the basin.

You can see that typically, once the storm comes through, they start to flush what have you through that [unintelligible 00:33:42] area. It causes the water to back up [inaudible 00:33:44] us because all the debris going there refuses to outflow and the conveyance through the gates.

That's very important that you do it in advance so that the South Florida Water Management District doesn't come by and have [unintelligible 00:33:56] going through the water removal of the floating furniture and other kinds of debris.

Those trees are hanging over into the canals, have them come by and cut those as well, because they do-- Contractors will do those as well for you. I know you've had some serious problems even this year. The canal is rising to a point where they came over the banks and affected some residences and people in communities.

Sea [unintelligible 00:34:19] base is very vulnerable that way and El Portal [unintelligible 00:34:23] shores and [unintelligible 00:34:27] park [unintelligible 00:34:28] basin.
[unintelligible 00:34:30] you should see the kinds of adversity should have arise again. Please, again, continue to encourage the residents of the area to be proactive, start even now stocking your water supplies and those kinds necessary accessories required to deal with a storm and the after effects of the storm should the quality of life change rather dramatically in an adverse way.

Thank you so much for the opportunity again.

Female speaker: Thank you.

Nickerson: Can you say for the record-- You know we know. Your first and last name for the record and how you represent congress-- [crosstalk]

Charles: [unintelligible 00:35:07]. I am Charles C. Scott II, the District Outreach Director for the Congress [unintelligible 00:35:15] the congressional district [unintelligible 00:35:17].

Nickerson: Thank you very much. Always good to see you, my brother.

Charles: It's always a pleasure. Bless you all.

Nickerson: Appreciate it.

Female speaker: Thank you.

Nickerson: Do we have anyone else who wants to come up and say anything at all? Hearing none. One last time [unintelligible 00:35:35] guys? Are we good? Hearing none. Do I have a motion of adjournment?

Female speaker: Motion of adjournment.

Dreher: Second.

Nickerson: Thank you very much. Got my motion, got my second. The Code Enforcement Committee meeting for Tuesday, September the 4th will be adjourned at 7:43 PM.

Female speaker: Thank you.

Nickerson: All in favor, say aye.
Speakers: Aye.

Nickerson: There we go.

[00:36:01] [END OF AUDIO]