

RONALD BROWN
SPECIAL MAGISTRATE



MARCIA G. CARTY, CPA, CGFO
INTERIM CITY MANAGER
FINANCE DIRECTOR

EDDIE CUTWRIGHT.
COMMUNITY AFFAIRS DIRECTOR

JANE WEST, ESQ.
CITY ATTORNEY

MINUTES
CITY OF PALATKA
October 15, 2024

1. **CALL TO ORDER** The proceedings were called to order at 1:30 p.m. The following are the Minutes of the Proceedings of the hearing held at City Hall, located at 201 N. 2nd Street, Palatka, Florida on October 15, 2024 @ 1:30p.m.

Briefing by Special Magistrate, Ron Brown, The Magistrate advised he was appointed by the City of Palatka to preside over the proceedings today. Any evidence presented must be such that a reasonable conclusion can be drawn to the matter at hand.

2. **BRIEFING BY SPECIAL MAGISTRATE** The Magistrate advised he was appointed by the City of Palatka to preside over the proceedings today. Any evidence presented must be such that a reasonable conclusion can be drawn to the matter at hand.
3. **SWEARING IN OF CODE OFFICERS** Eddie Cutwright David Green Christy Lowe The Magistrate administered the oath of office to the individuals named above. All officers were sworn in under oath. Christy Lowe and David Green were present for the Oath.
Also present: Jane West, City Attorney

NEW CASES Second Hearing Cases a. Case # 2023-229 319 Main Street Palatka, Florida was pulled from the Magistrate Meeting. Contact was made with the property owners prior to the hearing.

- a. **New Case-Case# 2023-229 Officer Christy Lowe 319 Main Street Palatka, Florida 32177**
Section 30-169 Mold and Mildew
Section 30-169 Graffiti

This case was pulled prior to the Magistrate's Hearing, and the property owner was notified.

- b. **New Case - Case# 2024-009 Officer Christy Lowe 102 N. 19th Street Palatka, Florida 32177**
Section 30-32(A)(11) Failure to repair broken fencing.

Case# 2024-009 102 N. 19th Street Palatka, Florida 32177. The property manager, Jay Ginsing was present on the property owner's behalf. Christy Lowe advised that she posted the notice of hearing on the property, the newspaper, city hall and mailed a certified letter to the property owner. The green card from the certified mail was signed and returned. Christy Lowe presented the case and photos that she took that represented the code violations which were noted as Section 30-32(A)(11) failure to repair broken fencing. Mr. Jay discussed that they had hired a contractor who had started the work, but he never completed the projects that were out of compliance. Mr. Jay agreed that the fencing was an issue, and he could have it completed in a 30-day frame. Mr. Brown concluded that one violation of Section 30-32(A)(11) was out of compliance and the said property had 30 days or a fine of \$25.00 a day shall commence on November 15, 2024.

- c. **New Case - Case # 2024-122 Officer David Green 522 North 5th Street Apt. 1 Palatka, Florida 32177**
Section 30-171 Broken Windows

Section 30-32(a) trash and debris
Section 30-32(a) Living Matter on Building
Section 30-169 Deteriorating Paint
Section 30-169 Rotten and Weakened Wood

Case # 2024-122 522 North 5th Street Palatka, Florida 32177. The property owner was present and was sworn in for his testimony. Mr. Green presented his case and the photos that he took. Mr. Green advised certified mail was sent to the property owner and the property was posted for the Notice of Hearing. Mr. Green testified the following violations were not in compliance. Section 30-171 Broken Windows, Section 30-32(a) trash and debris, Section 30-32(a) living matter on building, Section 30-169 Deteriorating Paint, Section 30-169 Rotten and weakened wood. David Green asked for 90 days to have the said property come into compliance, which would give the property owner until January 14th, 2025 to have the property in compliance or \$25 a day per fine would begin. The property owner, Mr. Huddleston said he has tenants that currently reside on the property and his son continues to knock out the windows each time he fixes them, he pushes them back out. Mr. Huddleston also stated he has asked them several times to keep the debris and trash up and presentable. Mr. Huddleston stated he likes the vines that grow up from the ground, but if he had to he would have them removed. He also said the paint issue is from the sun, the sun hits one side more than the other, and it is faded out on one side more than the other. Mr. Brown heard the property owner's testimony and agreed with the vegetation issue but stated that since it was not planted by the property owner, he would allow the city to discuss this with the property owner. Mr. Brown said he agreed with the property owner about the sun fading more on one side and the property owner needed to repair the paint that was missing and that would be the white spots, not the whole structure. Mr. Brown entered an order finding the violations are to be brought into compliance by January 14th, 2025. If not in compliance by that date, a fine shall commence in the amount of \$125 per day, \$25 per violation.

- d. Case# 2023-229
319 Main Street Palatka, Florida 32177
Officer Christy Lowe
- e. Case # 2024-009
102 N. 19th Street Palatka, Florida 32177
Officer Christy Lowe
- f. 522 N. 5th Street Palatka, Florida
Officer David Green

4. CASES FOR 2ND REVIEW

- a. Case for Second Hearing Case # 2022-039 Officer David Green 1905 Ocean Street Palatka, Florida 32177
First Hearing Held on 09/22/2022
Compliance Date 11/02/2022
Section 30-32(a) Roofing in disrepair, overgrown grass

David Green advised this case is set for a second hearing to have an official lien placed on the said property. David Green showed where the structure was in worse condition than at the first hearing, and he testified that the property was not in compliance. He showed the photographs he took and he presented his case. No property owners were present to present any testimony. Mr. Brown found that due process had been done by posting of the property and notice of hearing mailed to the property owner at the correct address. David Green advised at this time that the fines are at \$17,350 and will continue to accumulate daily because of non-compliance. Mr. Brown stated, based on the evidence presented, he finds the following violations still exist within the said property. Section 30-32(a) roofing is in disrepair and overgrown with grass. Magistrate Brown found it appropriate for the City to record a lien on the property in accordance with Sec. 162 Florida Statute.

- b. Case for Second Hearing Case# 2022-033 Officer David Green 809 N. 14th Street Palatka, Florida 32177
Section 30-213 Unsecured Entry to buildings
Section 30-32(a) Overgrown grass
Section 30-171 Windows
Section 30-169 Rotten and weakened wood/deteriorating paint

Case#2022-033 809 N. 14th Street Palatka, Florida 32177. David Green advised this case is being presented for the second hearing, and he is asking for an official lien on the property. Mr. Green advised that Mr. Luke Joseph was on Zoom and Mr. Joseph advised him that he had just purchased the said property. The current property owners are showing via property appraisers website are 5T Wealth Partners LP/Property Dockers. David Green advised that certified letters were mailed to all properties involved and the notice of hearing was posted on the property. David Green presented the case and the following violations still exist from the first hearing: Section 30-213 Unsecured Entry to building, Section 30-32(a) overgrown grass, Section 30-171 Windows, Section 30-169 Rotten and weakened wood, deteriorating paint. David presented photos from the first hearing and the updated photos for the 2nd hearing. The new property owner stated his name was Luke Joseph, and he had just recently purchased the property from the current owners. He stated they told him it had a few code violations that needed to be repaired but did not tell him the property had fines that had been accumulating. The fines to date are \$69,000.00. Mr. Joseph advised that he would continue to work on the property to bring the property into compliance. The Magistrate found it appropriate for the City to record a lien on the property in accordance with Section 162 Florida Statute.

- c. Case for Second Hearing Case # 2023-093 Officer Christy Lowe 102 N. 19th Street Palatka, Florida 32177
First Hearing Held - September 19, 2023
Compliance Date- December 18, 2023
Section 30-169 Mold and Mildew
Section 30-169 Rotten and Weakened wood

Case# 2023-093 Christy Lowe advised this case is up for a second review and the City is asking for an official lien to be placed on the property. Christy Lowe advised a Notice of Hearing was posted on the property, at city hall, the newspaper and a certified letter was mailed to the property owner. Christy Lowe advised the green card was signed and returned by certified mail. The property manager, Jay Ginsing, was present on behalf of the property owner Kirat LLC. Christy Lowe presented the evidence and photographs of Section 30-169 Mold and Mildew and Section 30-169 Rotten and weakened wood. Christy Lowe said that the first hearing was held on September 19, 2023, and some of the violations were brought into compliance and these were the last two that were not brought into compliance and at that time the total amount of fees accumulated are \$14,650.00. Jay stated they had hired a contractor who had started the work, but he never completed the work. Jay stated he was paid for the job but never came back and finished. Jay further stated that he would ensure the property would come into compliance. Christy Lowe conducted her presentation and also showed Jay the violations and locations of the violations that still need to be corrected. Mr. Brown found it appropriate for the City to record a lien on the property in accordance with Section 162 Florida Statute.

- d. Case# 2023-093
102 N. 19th Street Palatka, Florida 32177 (Second Hearing Case)
Officer Christy Lowe
- e. 1905 Ocean Street Palatka, Florida 32177
Officer David Green
- f. 809 N. 14th Street Palatka, Florida 32177
Officer David Green

