

**Code Enforcement Hearing**  
**Minutes**  
**October 03, 2018**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Debra Knutcher, City Attorney  
Officer Carrie Long  
Melani Beringer, Deputy City Clerk

**1. Call to Order/Rules of Procedure**

Special Magistrate D. John Morgeson Jr. called the Code Enforcement Hearing to order at 2:05 p.m. He stated that formal rules of evidence do not apply and fundamental fairness will be afforded to all. After hearing all of the relevant evidence a verbal order will be issued which will be reduced to writing and mailed to all participants. The order of the presentation will begin with the City presenting their evidence of the alleged violation(s) and then the Respondent shall present his case. All witnesses offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

**2. Administration of Oath to Defendants/Witnesses**

Special Magistrate Morgeson asked that anyone who wished to testify to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

B. Case # **12-17-7971**  
**Lien reduction Request**  
Owner Information: **Common Wealth Trust Services**  
Loc. Address: 935 Joe Street #9  
RE: Lien Reduction Request

Code Enforcement Officer Long presented her case: Ms. Long stated that the property owners failed to comply with the April 5, 2018, Findings of Fact, Conclusions of Law and Order by failing to correct the violations previously cited until August 22, 2018. The Magistrate ordered an administrative fine that totaled \$16,200.00. The respondent was found in compliance and has requested to reduce the total amount to \$200.00.

Recommendation: Staff recommends the Magistrate grant the presented lien reduction and lower amount owed to \$500 to be paid to the City within 30 days.

Harland Merriam, 526 N. Sans Souci Ave. Deland, as a representative for the trustee of Common Wealth Trust Services came forward to announced that the property has been cleaned and requested that the lien be reduced to \$200. He recognizes that the City is requesting \$500 and that he agreed to such amount.

The Magistrate closed the public hearing. Mr. Morgeson ordered that the lien be reduced to a \$500 fee with the stipulation that the reduced amount be paid to the City within 30 days from the date ordered or the lien will be reverted to its original amount.

### **Adjournment**

There being no further cases to discuss, the hearing was adjourned at 2:15 p.m.