

**Code Enforcement Hearing  
Minutes  
November 04, 2020**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Debra Knutcher, City Attorney  
Officer Carrie Long  
Melani Beringer, Interim 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/her 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 instructed the audience members who wished to testify, to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

- A. Case # 10-18-8291  
Abatement Request  
Owner Information: Tiger OC LLC  
Loc. Address: 2590 S Volusia Avenue  
RE: Abatement Request

The Magistrate stated that this item was brought forth on the October Code Enforcement agenda. He noted that this was an amended motion for authorization to abate the above said property. Mr. Morgeson stated that he has received the amended motion and reviewed all exhibits and attachments. He noted that notification of proper posting has been attached and certified mailings have been attempted but not signed by the respondent.

Mr. Morgeson stated that it does appear that proper service of notification has been met which the issue at the October Code Enforcement hearing was.

The Magistrate closed the public hearing. Mr. Morgeson ordered that based upon the information in the matter, specifically to the City's amended motion for authorization to abate property and notice of hearing for November 4, 2020, seeing that service has been met by the notice of hearing being sent certified and attempted and posted on the property itself. The Magistrate entered an

order which will serve as a request of the City Manager to abate the violation of sections 9-8 and 9-17b city code on the subject property. The City Manager shall comply with the notice requirements of sections 9-39 city code and provide the owner with 15 days to remedy the violation prior to any abatement action by the City as required by section 9-40 city code.

### **Adjournment**

There being no further cases to discuss, the hearing was adjourned at 2:08 p.m.