Nuisance Abatement Board
Meeting Minutes
June 21, 2018

A special meeting of the Nuisance Abatement Board of the City of Cocoa was held on Thursday, June 21, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim Gifford called the meeting to order at 6:00 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Jim Gifford	Chairman
George Brown, Jr.	Vice-Chairman
Virginia Weaver	Board Member
Michael Klug	Board Member

MEMBERS ABSENT:

David Lightholder	Board Member
Stephanie Moretto	Board Member
Michael Cicerrella	Board Member

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Anthony Marchica	Lieutenant
Pat Dovale	Lieutenant
Steve Murdick	Code Enforcement Officer
Brian Fose	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Rachel Unruh	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Meeting Agenda: June 21, 2018

Motion by Ms. Weaver, seconded by Mr. Klug, to approve the agenda of June 21, 2018 as written. Vote on the motion carried unanimously(5-0).

2. Approval of Meeting Minutes: October 19, 2017

Motion by Ms. Weaver, seconded by Mr. Brown, to approve the minutes of October 19, 2017, as written. Vote on the motion carried unanimously(5-0).

NEW BUSINESS:

None

NON-COMPLIANCE:

1. **CE-17-550 105 Stone St.**

Lt Pat Dovale provided an overview of the Case history and presented exhibits for the Board's review. Lt Dovale testified that the Property Owner is in violation for a Public Nuisance, of the City of Cocoa Code. Lt Dovale stated that the Case was heard on October 19, 2017 and the Property Owner was given until January 18, 2018 to correct the violation or impose a fine in the amount of two hundred fifty dollars ($250.00) per day until found in compliance. Lt Dovale provided a PowerPoint presentation with a timeline, listed the 6 recommendations that were provided to Mr. Chhabra and photos. The PowerPoint presentation also provided current calls for PD assistance and calls for a neighboring Hotel as a comparison. Lt Dovale explained to the Board members that Mr. Chhabra has made several improvements and the number of calls have decreased, however calls are still high compared to the neighboring hotel; and none of the calls are drug related for the neighboring hotel. He stated in his closing remarks, that all actions required by the Board Order to abate the public nuisance have been completed by the respondent. Respondent is in compliance as of June 11, 2018. Lt Dovale recommended to find the property in compliance as of June 11, 2018 but find the property not in compliance from May 6, 2018 through June 11, 2018 thus imposing a fine in the amount of $250 per day for those dates.

Discussion amongst the Board members and Lt. Dovale.

Discussion amongst the Board members and Debra Babb-Nutcher, Board Attorney.

Additional discussion amongst the Board members and Lt. Dovale.

Motion by Mr. Brown, to find the property in non-compliance for May 6, 2018 through June 11, 2018 (36 days) and a one thousand dollar ($1,000.00) fine be imposed and additional signs for no trespass.

Motion placed on hold for discussion.

Bob Wheelin, Law Office of Bogin, Munns & Munns, 7195 Murrell Rd, Melbourne. Mr. Wheelen stated Mr. Chabbra has gone to great expense making corrections and has had trouble getting contractors out to the location to complete the work. Mr. Wheelin provided documents for the Board members. Mr. Wheelin stated that Chabbra has contacted FPL to add additional lights on the property, that letter was provided in the documents from Mr. Wheelin. Mr. Wheelin explained Mr. Chabbra wants to keep the

hotel clean and updated. He stated that Mr. Chabbra has other improvements he wants to make to the property. Mr. Wheelin explained imposing a fine on the property would be less money that Mr. Chabbra would have to spend on the other improvements.

Discussion amongst Board members and Mr. Wheelin.

Discussion amongst Board members and staff.

Motion amended by Mr. Brown, seconded by Mr. Klug, to find the property in non-compliance for May 6, 2018 through June 11, 2018 (36 days) and a five hundred dollars ($500.00) fine be imposed. Vote on the motion carried unanimously(4-0).

OTHER BUSINESS:

I. Manager Announcements

NEXT MEETING:

The next meeting for the Nuisance Abatement Board is TBD as needed.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:28 PM.

Approved on this 19th day of July, 2018.

Jim Gifford, Chairman

Rachel Unruh, Recording Secretary