

MEETING MINUTES

CITY OF FORT LAUDERDALE

**NUISANCE ABATEMENT BOARD**

**FIRE STATION 2 – 528 NW 2ND STREET, 3RD FLOOR**

**FORT LAUDERDALE, FLORIDA 33311**

**THURSDAY, FEBRUARY 8, 2024, 7:00 P.M.**

**Cumulative**

**January-December 2024**

**Committee Members Attendance Present Absent**

Joel Slotnick, Chair P 1 0

Glen Lindsay , Vice Chair P 1 0

Robert Phaneuf A 0 1

Avigdor Pemper A 0 1

Chris Smith P 1 0

# Staff Present

Detective Carlton Smith

Joyce Hair, Board Clerk

Don Londeree, Assistant City Attorney

Carla Blair, Recording Secretary, Prototype, Inc.

# Communication to the City Commission

None.

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**Status Hearing**

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**Status Hearing**

**Purpose**: Promote, protect, and improve the health, safety, and welfare of the citizens by imposing administrative fines and other non-criminal penalties in order to provide an equitable, expeditious, effective, and inexpensive method of enforcing ordinances under circumstances when a pending, or repeated violation continues to exist.

1. **Call meeting to order; Pledge of Allegiance**

The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited.

1. **Roll call; witnesses sign log; swearing in**

Roll was called and it was noted a quorum was present. Witnesses were sworn in.

1. **Approval of minutes for December 14, 2023**

Chair Slotnick noted a correction to p.3 of the December 14, 2023 minutes: he requested that when Mr. Pemper’s arrival was noted, the document should also reflect that the Board achieved a quorum.

**Motion** made by Mr. Smith, seconded by Vice Chair Lindsay, to approve. In a voice vote, the **motion** passed unanimously.

**Cases**

1. **Case Number 23-02-01**

**18 NW 1st Ave.**

**One Stop Shop**

* **Status Hearing**

Detective Carlton Smith stated that during the past 60 days, the One Stop Shop has had a total of eight calls, none of which were nuisance-related. He thanked property owner Majdi Othman for ensuring the property is in compliance.

Detective Smith provided a letter showing the property is released from the jurisdiction of the Nuisance Abatement Board (NAB).

1. **Case Number 23-05-03**

**3081 NW 19th Street**

* **Status Hearing**

Detective Smith advised that in the past 60 days, there have been 61 calls from the property, 41 of which were noise complaints. Over the last month, there have been a significant number of people at the subject location at night. He recommended that gates be implemented to block a cut-through alleyway and discourage unwanted activity. Another suggestion was for the business at the subject location to close at 9:00 or 10:00 p.m. rather than midnight or 1:00 a.m.

Mr. Smith asked if the issue was the business at the subject location or other businesses in the strip mall. Detective Smith explained that the store, not the strip mall, is under the Board’s jurisdiction; in addition, the store is not enforcing trespass notices, which it had done in the past.

Assistant City Attorney Don Londeree asked if the other businesses in the strip mall are open or closed after dark. Property owner Darmindra Persaud replied that a restaurant and a liquor store in the strip mall each close early.

Mr. Persaud further explained that metal fencing is expected to be installed over the coming weekend, which will stop movement through the alleyway.

Mr. Persaud continued that once the store closes, the people in the parking lot typically disperse. He emphasized that his goal is to ensure 100% compliance with the Board’s requirements, and requested that the Board restrict the business’s hours of operation to address the ongoing issues.

Vice Chair Lindsay asked if the tenant’s lease included any reference to specific hours of operation. Mr. Persaud replied that there are no such specifications, and added that there is a clause in the lease which states the business may not violate any City Ordinance.

Chair Slotnick asked if Mr. Persaud has taken any steps to evict the tenant, as mentioned at a previous meeting. Mr. Persaud replied that this is an ongoing process.

Mr. Persaud asked if the Board could require the business to close at 9 p.m. rather than 10 p.m. Detective Smith confirmed that he would be agreeable to this.

The Board members discussed the issue further, with Attorney Londeree noting that the Board may modify its earlier recommendations, including the store’s hours of operation. He added, however, that if the other businesses in the plaza remain open, closing the subject store early would not be effective. He also pointed out that the Board’s concern is the property’s compliance, not the tenant’s contract with the property owner.

**Motion** made by Mr. Smith to limit the hours of operation at the convenience store to 9 o’clock.

Mr. Persaud confirmed that the business currently remains open until midnight and sometimes until 1 a.m., seven days per week. Detective Smith noted that most of the calls received regarding the site begin after 10 p.m. He did not have a breakdown on the number of calls received between 9 p.m. and 10 p.m.

Mr. Smith **amended** his **motion** as follows: **motion** to make it a close time of 10 o’clock. Vice Chair Lindsay **seconded** the **motion**. In a roll call vote, the **motion** passed unanimously.

1. **Case Number 23-10-04**

**1010 NE 17th Avenue**

**Speedy’s**

* **Status Hearing**

Detective Smith reported that there have been 21 calls in the past 60 days, none of which were nuisance-related. He has visited the site and noted that there is compliance with the Board’s requirements for cameras and removal of items. He noted, however, that future reports from the location will need to be more descriptive, and recommended that signs indicating the property is under the NAB’s jurisdiction be added to the front door.

David Geller, attorney representing Speedy’s, advised that his client was out of the country, but he was present with the tenant. Hassan Odtallah, tenant, confirmed that more detail will be provided in subsequent reports. He asked if the Board could make any recommendations to improve business, as it has slowed significantly at the site. Detective Smith advised that now that the business is cleaner and compliant, it will likely attract a different clientele.

1. **Board Discussion**

Chair Slotnick concluded that the next Board meeting is scheduled for Thursday, March 14, 2024.

There being no further business to come before the Board at this time, the meeting was adjourned at 7:28 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]