

MINUTES OF THE **PUBLIC HEARING OF THE CODE ENFORCEMENT** held on **JUNE 3, 2009** in the **COUNCIL CHAMBERS AT CITY HALL** located at **201 SOUTH CORTEZ ST.**, Prescott, Arizona.

**I. CALL TO ORDER**

Hearing Officer Boris called the meeting to order at 2:00 PM and announced that Cheri Letner would be sitting in on the hearing procedures to train as secretary. The following persons were duly sworn: Code Enforcement Officer Donovan and Citizen, Ms. Joanne Freidman.

**II. CASES**

- 1. CEH0905-002** CE0901-016 **601 Cortez St.** **Cortez Circle LLC**  
APN: 109-15-015B **Continuation from May 6, 2009 hearing**  
PCC7-5-4 (C) Weeds, Trees, Dry Vegetation.  
Officer D. Donovan.

Code Enforcement Officer Donovan reported that this case was continued from the May 6, 2009 hearing and that he had checked the property this morning prior to the hearing and the property has been cleaned. Officer Donovan presented Hearing Officer Boris with the current photographs and indicated that the area inside the construction area and along the perimeter had been completely cleared of vegetation. Officer Donovan reported that Code Enforcement recommends that the case be dismissed.

Hearing Officer Boris invited the representative for 601 S. Cortez Street to the podium to speak.

Ms. Joanne Freidman, 601 S. Cortez Street indicated that she was hired as the manager for the Cortez Circle Apartments. However, had just started on the job on April 1, 2009. Ms. Freidman indicated that she was not as familiar with the case as the contractor/consultant, Clyde Neville, who had been working with George Worley. Ms. Freidman reported that the entire area had been cleaned up.

Hearing Officer Boris noted that according to Officer Donovan the property has been cleaned up and Code Enforcement has recommended dismissal of the case and did not think it was necessary for Mr. Neville to be present to dismiss the case.

Ms. Freidman indicated that they were up to code and that if the case could be dismissed they would appreciate it.

Hearing Officer Boris reported that because there was no representative for the property present at last months hearing (May 6, 2009) that the default judgment that was ordered in the amount of \$250.00 for failure to appear will stay in effect as it is in the City Code.

Ms. Freidman noted that she understood. Ms. Freidman indicated that the case started prior to her being involved.

Code Enforcement Officer Donovan indicated that he did not know if it was miscommunications but the weeds were not previously cleared.

Hearing Officer Boris reported that someone should have been present for the hearing in May and noted that Hearing Case CEH0905-002 at 601 S. Cortez Street is in dismissed.

**2. CEH0906-001 CE0902-055 125 N. Washington Ave. Palmer, Caleb Augustin  
& Alder Street.**

APN: 109-15-015B

PCC 7-5-4: (A) General Accumulation of Junk/Trash/Litter.

Officer D. Donovan

Code Enforcement Officer Donovan reported that the property located at 125 N. Washington Avenue has a house in the rear that faces Alder Street so the parcel number has two property addresses. Officer Donovan continued to report that that the recent owner information indicates that the property owner resides in Hawaii and that a complete report with the Yavapai County records was provided because it was uncertain if the property was in foreclosure. Officer Donovan entered the file into the record and gave it to Hearing Officer Boris.

Hearing Officer Boris asked Officer Donovan to explain the photographs and inquired if the property was in compliance.

Officer Donovan indicated that the property is in compliance and the photographs were provided for documentation purposes. Officer Donavon further noted that the furniture and items has all been removed.

Hearing Officer Boris inquired if there was a representative present at the hearing. Seeing none, Hearing Officer Boris ordered a default judgment in the amount of \$250.00 for failure to appear and noted that since the property is in compliance the charges in the original case of CEH0906-001, 128 n. Washington and Alder Street is dismissed.

### III. ADJOURNMENT

Hearing Officer Boris adjourned the hearing at 2:08 PM.



6/3/09

Phyllis Boris, Hearing Officer      Date