



City of Tarpon Springs, Florida

324 East Pine Street
Post Office Box 5004
Tarpon Springs, Florida 34689-5004
(727) 938-3711
Fax: (727) 937-8199
www.ctsfl.us

December 5, 2017

To: Mayor, Vice Mayor and Board of Commissioners

From: Mark G. LeCouris, City Manager

Re: 1717 Mandalay Drive – Request to Begin Foreclosure Proceedings

RECOMMENDATION:

It is recommended that the Board of Commissioners approve the request of the Code Enforcement Board to authorize the City Attorney to initiate foreclosure of code enforcement liens on property located at 1717 Mandalay Drive.

BACKGROUND:

The Code Enforcement Board voted unanimously on November 9, 2017 to request that the Board of Commissioners authorize the City Attorney to pursue foreclosure on Code Enforcement Liens on property located at 1717 Mandalay Drive. Details of the lengthy proceedings of the code enforcement cases involving this property are attached.



TARPON SPRINGS POLICE DEPARTMENT

"Building a Better Future Through Excellence in Policing"

Robert P. Kochen
CHIEF OF POLICE

Date: October 13, 2017

To: Code Enforcement Board Members

From: Steve Gassen, Code Enforcement Officer

Re: Authorization to Foreclose Code Enforcement Lien

The purpose of this letter is to request authorization from the Code Enforcement Board on November 9, 2017 to initiate a foreclosure case to foreclose a Code Enforcement Lien on the following property:

Case Number	16-80000292
Owner	Sik Hing Li
Property Address/Parcel #	1717 Mandalay Dr/10 27 15 34135 000 0040
Nature of Violation	Overgrown lot with incomplete construction
Outstanding Fines	In excess of \$30, 000.00
Homestead Status	Not Homesteaded

All notices have been sent via first class and return receipt requested mail utilizing the name and address of the property owner found in the Pinellas County Tax Collector's and Property Appraiser's database. There have been two cases on the property. The first case (15-80000237) was initiated June 10, 2015 and came into compliance August 7, 2015. The property was mowed by a neighbor. The second case (16-80000292) was opened July 16, 2016 regarding the lot being overgrown and the unfinished construction. There are a number of concrete pilings on the property and construction has not been completed as required by code. The case was heard by this board on August 18, 2016 with a deadline to come into compliance on September 15, 2016. The property has not come into compliance and a \$100 a day fine has been accruing on the property. A lien was placed on the property on October 24, 2016. As of October 13, 2017, the fines are in excess of \$30, 000.00. On July 17, 2017 the owner's daughter and Power of Attorney, Melody Marsh, contacted the Code Enforcement Office and was informed of her current status of the property. The property was abated on July 12, 2017 to perform lawn maintenance only. The abatement return receipt was signed. October 6, 2017, Melody Marsh, Power of Attorney, was reminded what matters she needed to satisfy in order to avoid foreclosure proceedings.





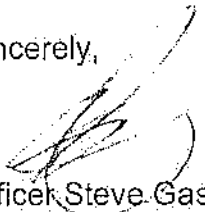
TARPON SPRINGS POLICE DEPARTMENT

"Building a Better Future Through Excellence in Policing"

Robert P. Kochen
CHIEF OF POLICE

I respectfully request the Code Enforcement Board to authorize foreclosure of the above referenced Code Enforcement Board Lien. If the Code Enforcement Board authorizes foreclosure, a request will be brought before the Tarpon Springs Board of Commissioners for their authorization as well.

Sincerely,


Officer Steve Gassen
Code Enforcement Officer
Tarpon Springs Police Dept



444 S. HUEY AVE., TARPON SPRINGS, FL 34689 • PHONE (727) 938-2849
WWW.TSPD.US

"A Full Service Accredited Law Enforcement Agency"





TARPON SPRINGS POLICE DEPARTMENT MEMORANDUM



Robert P. Kochen
CHIEF OF POLICE

"Building a Better Future Through Excellence in Policing"

To: Chief Robert Kochen

From: Major M. A. Trill

Date: 08/10/17

Reference: Mandalay Code Enforcement Issue

Cc: Code Enforcement File; Sgt. Robert Faugno; Ofc. Gassen

On 08/10/17, I was contacted by the City Manager in regard to an on-going Code Enforcement issue with a property on Manadalay. The City of Tarpon Springs had begun to move forward with forfeiture proceedings on the property, and individuals had contacted the City Manager in reference to the issue. Upon contact with the City Manager, he expressed concern due to statements made by Melody Marsh, who had related recent issues with an impending divorce (including violence and concern for safety and her inability to get mailings in regard to the property due to the husband). The City Manager, obviously, was concerned that equity and common sense would be used in dealing with the issue, as this new information was said to have been learned.

I then met with Ms. Marsh (and a male who advised he was her friend and was attempting to assist her) at City Hall. Ms. Marsh provided a typed piece of paper containing a signature that was purportedly from her mother and gave her authority to make decisions concerning the property on Mandalay. The mother is the owner of the property, according to records. I noted that the document was not even notarized, and there was no proof to establish its veracity. I explained this to Ms. March.

Ms. Marsh advised that her husband had joined a cult and was very abusive, to include physical violence and had not allowed her access to any correspondence. She stated that she is currently involved in a lengthy divorce proceeding with her husband and she is hoping to complete the divorce by next year. She related that it was her intention to then build on the property and had advised that she expected this to occur in approximately 1.5 years.

The property in question is currently in violation for maintenance of the yard and large pilings, which are planted into the ground. Ms. Marsh has had contact with the Code Enforcement members, as well as the City Attorney, who have attempted multiple times to explain what is



444 S. HUEY AVE. TARPON SPRINGS, FL 34689 - PHONE (727) 938-2849
WWW.TSPD.US

"A Full Service Accredited Law Enforcement Agency"



necessary to avoid continuing with foreclosure proceedings. Basically, the options are listed below:

- 1) Properly maintain the property and remove the pilings
- 2) Obtain a building permit and begin construction in compliance with rules/laws
- 3) Sell the property

As the property already has accumulated a large amount of fines, the owner could go to Code Board to request a reduction in fines once the property has come into compliance. Apparently, Ms. Marsh has expressed that none of the options would work for her and has attempted contact with various sources within the City of Tarpon Springs. It was my understanding that, after the City Attorney had explained what needed to occur, he advised her she should seek legal counsel. This contact occurred on 08/09/17. On 08/10/17, Ms. Marsh contacted the City Manager.

During my contact with her, I found her explanations often would be circular or involve additional emotional-driven comments that were not necessarily germane to the direct issue being discussed. It should also be noted that Ms. Marsh had referred to her husband several times as her ex-husband and had, at one point, said she was divorced. When questioned, she would then state that the divorce proceedings were still going.

I advised her that we would attempt to be accommodating but still needed to find a solution to the issue in the best interest of the all parties. I contacted Ofc. Gassen and Sgt. Faugno and had them respond to meet with us and discuss options. Upon their arrival, I was provided additional information, to include:

The issue at the location has existed since 2004. The initial owner had installed the pilings but construction was not initiated. Ms. Marsh had purchased the property in her name in 2004 but it was changed to her mother in 2006. It was noted that Ms. March has already had a code board issue at that location, had accumulated fines for maintenance of the property and had been given a reduction by the code board for her fines. It appears that this issue was on-going prior to the change of ownership to her mother. It is also noted that Motley and Sanner had dealt with the property and the same basic issues. Furthermore, a prior code enforcement note showed that a landscaper was named "Winston Marsh," which is her current husband.

We then spoke with Ms. Marsh, who was not very direct in her answers and would resort to the previous way of answering (somewhat circular or non-germane). I explained that this has been an on-going problem at the property for approximately 16 years. Her responses were very vague and her response about the changing of the name to her mother was not explained well (as it appeared to Code Enforcement that the name may have been changed to avoid additional violation fines). Again, she responded that her husband had kept correspondence from her and did not really explain how she happened to get only the foreclosure notice just prior to the hearing. This did cause question about the credibility of the story. She stated that she has a list of lawn services, which will be taking care of the property from this date forward.

Ms. Marsh continued to state that she is going to build a residence on the property but could not give a date of initiation, continuing to state that she has to wait for the divorce to be finalized. Her previous statements were tentatively predicting 1.5 years, and I advised her that waiting until 2019 was not acceptable.



I was informed that previous code enforcement notes relate that Ms. Marsh would seem to be confused about issues although they had been explained multiple times. I found that she did appear, at times, as if she was not comprehending, as she would bring up side statements; however, I was very direct and ensured that we stayed on topic and she understood exactly what I was explaining.

Giving her the benefit of the doubt, I made the following determination in regard to the case:

I have set a status meeting on October 13, 2017.

Within that time frame the following must be accomplished by Ms. Marsh:

1. She is to have Power of Attorney (proper and legal) that she will supply, which will allow her to make decisions for the property.
2. She is to immediately contact a lawn service company or individual and obtain a service contract, which she will supply to me as soon as it is obtained. The lawn service company or the individual will then be required to maintain the property on her behalf. No future violations for maintenance would be acceptable.
3. She is to provide me with an architectural landscape plan, denoting shrubbery/foilage which could be planted to hide the pilings from sight. As such, the proper density of the shrubbery/foilage must be taken into consideration, as well as the height (as the pilings would need to be fully covered). The plan should include the type of shrubbery/foilage, so that the city arborist could review the plan and give an opinion on its suitability prior to me making a decision in the matter. The plan should demonstrate a professional and aesthetically acceptable appearance of the property to be considered as being determined to be in compliance.

Prior to determining our next course of action, I will gain input from the following:

1. Building Department – to gain information about the pilings, the cost of removing/replacing the pilings, etc.
2. City Arborist – upon receipt of the landscape plan, I will meet with the City Arborist to review the plan and gain input concerning the appearance of the property and the suitability of the plan
3. Code Enforcement – I will review prior entries/notes/etc. concerning the property, specifically any issues with the pilings to determine past actions/notices/etc. to Ms. Marsh concerning her duties for the property in regard to this issue. Currently, I have only been advised that pilings were mentioned; however, it is not confirmed that Ms. Marsh has been specifically advised to remove them in the past.

Ms. Marsh was advised that failure to meet the requirements would lead to immediately reinstating our efforts to move forward with forfeiture. I, further, explained that this does not relieve her from the continuous accumulation of fines; however, once in compliance, this 2 month reprieve to determine our course of action, can be presented to the Code Board. Ms. Marsh advised that she understood.

Status hearing set: 10/13/17





TARPON SPRINGS POLICE DEPARTMENT

"Building a Better Future Through Excellence in Policing"

Robert P. Kochen
CHIEF OF POLICE

Date: October 13, 2017

To: Code Enforcement Board Members

From: Steve Gassen, Code Enforcement Officer

Re: Authorization to Foreclose Code Enforcement Lien

The purpose of this letter is to request authorization from the Code Enforcement Board on November 9, 2017 to initiate a foreclosure case to foreclose a Code Enforcement Lien on the following property:

Case Number	16-80000292
Owner	Sik Hing Li
Property Address/Parcel #	1717 Mandalay Dr/10 27 15 34135 000 0040
Nature of Violation	Overgrown lot with incomplete construction
Outstanding Fines	In excess of \$30, 000.00
Homestead Status	Not Homesteaded

All notices have been sent via first class and return receipt requested mail utilizing the name and address of the property owner found in the Pinellas County Tax Collector's and Property Appraiser's database. There have been two cases on the property. The first case (15-80000237) was initiated June 10, 2015 and came into compliance August 7, 2015. The property was mowed by a neighbor. The second case (16-80000292) was opened July 16, 2016 regarding the lot being overgrown and the unfinished construction. There are a number of concrete pilings on the property and construction has not been completed as required by code. The case was heard by this board on August 18, 2016 with a deadline to come into compliance on September 15, 2016. The property has not come into compliance and a \$100 a day fine has been accruing on the property. A lien was placed on the property on October 24, 2016. As of October 13, 2017, the fines are in excess of \$30, 000.00. On July 17, 2017 the owner's daughter and Power of Attorney, Melody Marsh, contacted the Code Enforcement Office and was informed of her current status of the property. The property was abated on July 12, 2017 to perform lawn maintenance only. The abatement return receipt was signed. October 6, 2017, Melody Marsh, Power of Attorney, was reminded what matters she needed to satisfy in order to avoid foreclosure proceedings.



444 S. HUEY AVE., TARPON SPRINGS, FL 34689 - PHONE (727) 938-2849
WWW.TSPD.US

"A Full Service Accredited Law Enforcement Agency"





TARPON SPRINGS POLICE DEPARTMENT

"Building a Better Future Through Excellence in Policing"

Robert P. Kochen
CHIEF OF POLICE

I respectfully request the Code Enforcement Board to authorize foreclosure of the above referenced Code Enforcement Board Lien. If the Code Enforcement Board authorizes foreclosure, a request will be brought before the Tarpon Springs Board of Commissioners for their authorization as well.

Sincerely,

Officer Steve Gassen
Code Enforcement Officer
Tarpon Springs Police Dept



CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number ADDRESS	INSPECTOR	TENANT NAME	TENANT NBR
8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR TARPON SPRINGS FL 346892275	7/16/16 Ofc. Steve Gassen	OPEN IN FINE STATUS V/L MANDALAY BET 1713 & 1719	9/24/16

CASE DATA: DATE OF INITIAL INSPECTION JULY 16, 2016
 NAME OF CODE USED 8-40, 8-52
 CEB COMPLIANCE DEADLINE SEPTEMBER 15, 2016
 COMPLAINANT MIKE MOOSMAN-1725 MANDALAY
 MISCELLANEOUS INFORMATION TEL # 940-7656
 PHONE NUMBERS
 CODE BOARD HEARING DATE AUGUST 18, 2016
 DEFERRED NOTICE
 DATE COMPLIED
 DATE CLOSED

NARRATIVE: CITY CODE 8-40 7/16/16
 CITY CODE 8-52 7/16/16

NOTICE NAMES: LI, SIK HING OWNER
 MELODY YIU MARSH AGENT NAME 262-327-6619

HISTORY:	SCHEDULED	ACTION	STATUS	RESULTED	INSPECTOR	TIME
	7/14/16	INITIAL INSPECTION RQST TEXT: 7/14/16	COMPLETED	7/16/16	Ofc. Steve Gassen	.25
		LOCATION: LOT - MANDALAY DR INBETWEEN 1713 & 1719 MANDALAY (1717 MANDALAY DR)				
		COMPLAINT: OVERGROWN. MR. MOOSMAN WAS ALSO MAKING A COMPLAINT IN REGARDS TO THE CEMENT PILINGS ON THE PROPERTY - HE WAS REQUESTING THEM TO BE REMOVED. I TOLD HIM THAT HE WILL HAVE TO CONTACT THE DEVELOPMENT SERVICES DEPARTMENT TO GET AN ANSWER TO THAT QUESTION.				
		COMPLAINANT: MR. MOOSMAN, 1725 MANDALAY DR TELEPHONE NUMBER: 940-7656				
		RSLT TEXT: July 16, 2016 12:31:41 PM sgassen. Lot is overgrown and in a partial state of construction. I has had only piling structures for the last couple of years with no forward progress on construction.				
		section (d) of 8-40 left for unreasonably long periods of time in a state of				

CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number ADDRESS	INSPECTOR	TENANT NAME	TENANT NBR
8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR TARPON SPRINGS	7/16/16	OPEN IN FINE STATUS	9/24/16
FL 346892275 Send to: OWNER NAME Mail tracking #: Name/address: LI, SIK HING 12500 WRAYBURN RD ELM GROVE, WI 53122 Telephone: Fax: EMail:	Ofc. Steve Gassen	V/L MANDALAY BET.1713 & 1719	
7/19/16 Code NOH Sign to Post Respond to: Send to: OWNER NAME Mail tracking #: Name/address: LI, SIK HING 12500 WRAYBURN RD ELM GROVE, WI 53122 Telephone: Fax: EMail:	ISSUED Date: 8/16/16	7/19/16	
7/28/16 POST SIGN NARRATIVE: 7/28/16 Affidavit of Posting Notice Respond to: Send to: OWNER NAME Mail tracking #: Name/address: LI, SIK HING 12500 WRAYBURN RD ELM GROVE, WI 53122 Telephone: Fax: EMail:	COMPLETED ISSUED Date: 0/00/00	7/28/16	0/00/00
8/17/16 REINSPECTION RQST TEXT: July 16, 2016 12:36:18 PM sgassen. See if structures are removed and lot mowed C.E.B. HEARING FOR 8/18/16 TO BE ESTABLISHED. RSLT TEXT: August 17, 2016 7:41:38 AM sgassen. Pilings still there Grass was cut in front of pilings whole lot needs to be mowed still photos added	COMPLETED 8/17/16	Ofc. Steve Gassen	.25

CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number ADDRESS	INSPECTOR	TENANT NAME	TENANT NBR
8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR TARPON SPRINGS FL 346892275	7/16/16	OPEN IN FINE STATUS	9/24/16
	Ofc. Steve Gassen	V/L MANDALAY BET.1713 & 1719	

HISTORY:	SCHEDULED	ACTION	STATUS	RESULTED	INSPECTOR	TIME
	6/19/17	E-MAIL RECEIVED NARRATIVE: Sir, (To Chief of Police from Officer Gassen) 06/19/2017 I spoke to Michael Moosman regarding the lot on Mandalay. After our conversation he understands the city's position is not to remove the pilings or at this point pursue foreclosure. He greatly appreciated the call and the city's willingness to help by mowing the lot via abatement procedures. Code Enforcement will begin the abatement process on the lot to get the lot mowed. Barb, (from Officer Gassen) 06/19/2017 Do you have a PX for Mr. Moosman? Chief wants me to speak to him and advise him what are limitations are and the fact we will not be removing the pilings. Thanks note: Moosman PX 727-940-7656	COMPLETED	6/19/17		6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17 6/19/17
	6/27/17	POST SIGN NARRATIVE: Abatement notice posted	COMPLETED	6/27/17		6/27/17
	7/10/17	CERTIFIED SIGNED NARRATIVE: Tracking # 70160910000098735776 Notice of Abatement green card certified return receipt addressed to Sik Hing Li was returned to code office on 07/10/2017 signature is not legible but may contain last name Marsh which was associated with owner on record when property was deeded over to him. Printed name blank Date of delivery 07/05/2017	COMPLETED	7/10/17		7/11/17 7/11/17 7/11/17 7/11/17 7/11/17 7/11/17 7/11/17 7/11/17 7/11/17 7/11/17
	7/11/17	City Wide Abatement Notice Respond to: Officer S Gassen Send to: OWNER NAME Mail tracking #: LI, SIK HING Name/address: 12500 WRAYBURN RD ELM GROVE, WI 53122 Telephone:	ISSUED	7/11/17		7/11/17
				Date: 7/11/17		

CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number	INSPECTOR	TENANT NAME	TENANT NBR
ADDRESS			
8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR TARPON SPRINGS	7/16/16	OPEN IN FINE STATUS	9/24/16
FL 346892275	Ofc. Steve Gassen	V/L MANDALAY BET.1713 & 1719	
8/10/17 FORECLOSURE REQUEST	COMPLETED	8/10/17	
NARRATIVE: Case summary			7/26/17
NOV			7/26/17
NOH			7/26/17
Violation summary			7/26/17
May 2, 2017 Informal letter to owner address on record			7/26/17
requesting communication or information on owner			7/26/17
Notice of Abatement			7/26/17
Bill from Summit Lawn			7/26/17
Foreclosure memo			7/26/17
11/09/17 BOARD MEETING	PENDING		
8/10/17 FORECLOSURE PROCESS	COMPLETED	8/10/17	
NARRATIVE: Foreclosure request placed on CEB Aug 10, 2017 for			7/26/17
consideration. After review, will go forward to BOC.			7/26/17
7/26/17 CERTIFIED MAIL NUMBER	COMPLETED	7/26/17	
NARRATIVE: 07/26/2017			7/26/17
Daughter of owner Melody Marsh requested copy of all Notices			7/26/17
in ref to the property mailed to PO Box 13571 Milwaukee WI			7/26/17
53213.			7/26/17
On this date, mailed all notices to include:			7/26/17
Case summary			7/26/17
NOV			7/26/17
NOH			7/26/17
Violation summary			7/26/17
May 2, 2017 Informal letter to owner address on record			7/26/17
requesting communication or information on owner			7/26/17
Notice of Abatement			7/26/17
Bill from Summit Lawn			7/26/17
Foreclosure memo			7/26/17
mailed first class and certified tracking #			7/26/17
70160910000098731105			7/26/17
7/26/17 E-MAIL RECEIVED	COMPLETED	7/26/17	
NARRATIVE: Email to Mr. Trask documenting that all notices, case			7/27/17
summary and foreclosure memo sent to Melody Marsh (daughter			7/27/17
of Owner) as requested:			7/27/17
Ok. Thx.			7/27/17
Thomas J. Trask, Esquire			7/27/17
Board Certified in City, County and Local Government Law			7/27/17
AV Preeminent Rated Attorney			7/27/17
Tom@cityattorneys.legal			7/27/17
TRASK DAIGNEAULT, LLP			7/27/17
Harbor Oaks Professional Center			7/27/17

CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number ADDRESS	INSPECTOR	TENANT NAME	TENANT NBR
8-40 DUTY OF MAINT/PRIV PRO 10.27.15.34135.000.0040 1717 MANDALAY DR TARPON SPRINGS	7/16/16 Ofc. Steve Gassen	OPEN IN FINE STATUS V/L MANDALAY BET.1713 & 1719	9/24/16
FL 346892275 8/21/17 E-MAIL RECEIVED	COMPLETED	8/21/17	
NARRATIVE: From: Steve Gassen 8/22/17			
Sent: Monday, August 21, 2017 4:44 PM 8/22/17			
To: Mark LeCouris 8/22/17			
Cc: Mike Trill; Robert Kochen; Anthony Mastracchio; Barbara 8/22/17			
Templeton 8/22/17			
Subject: RE: Meeting 8/22/17			
Sir, 8/22/17			
Can we get a copy of the letter to add to the file? It was 8/22/17			
not on the email. 8/22/17			
Thank you 8/22/17			
From: Mark LeCouris 8/22/17			
Sent: Monday, August 21, 2017 4:42 PM 8/22/17			
To: Melody Marsh 8/22/17			
Cc: Mike Trill; Steve Gassen; Robert Kochen; Anthony 8/22/17			
Mastracchio 8/22/17			
Subject: RE: Meeting 8/22/17			
Ms. Marsh, Your meeting will be with Code Enforcement and I 8/22/17			
will not be involved in it. I am not sure the tree idea or 8/22/17			
the fence idea will satisfy the Code Enforcement Board or 8/22/17			
the citizens complaining. I will tell you that there will be 8/22/17			
no more extensions on the timeline. Please set up your 8/22/17			
meeting with Major Trill. Mark LeCouris City Manager. 8/22/17			
From: Melody Marsh [mailto:melody.marsh@gmail.com] 8/22/17			
Sent: Monday, August 21, 2017 12:52 PM 8/22/17			
To: Mark LeCouris 8/22/17			
Subject: Meeting 8/22/17			
Dear Mr. Mark LeCouris, 8/22/17			
Please review the attached letter. Thank You! 8/22/17			
Wishing you have a Beautiful day! 8/22/17			
Ms. Melody Marsh 8/22/17			
(262) 327-6619 8/22/17			
8/24/17 E-MAIL RECEIVED	COMPLETED	8/24/17	
NARRATIVE: 08/24/2017 from Major Trill ref owner daughter dropping off 8/24/17			

CASE TYPE Parcel Number ADDRESS	DATE ESTABLISHED	INSPECTOR	TENANT NAME	STATUS	TENANT NBR	STATUS DATE
8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR. TARPON SPRINGS	7/16/16	Ofc. Steve Gassen	V/L MANDALAY BET.1713 & 1719	OPEN IN FINE STATUS		9/24/16
FL 346892275 10/19/17 E-MAIL SENT	10/19/17			COMPLETED		10/19/17
NARRATIVE:		time, this is absolutely not an accurate statement. You have been told the same things multiple times in multiple contacts.				10/19/17
		In conclusion, the measurements will be obtained without going onto your property. I will also do as I have explained, in person and above, in regard to determining if a modified plan (of the unacceptable plan you presented) would work. I will contact you upon completion of this.				10/19/17
		Thanks,				10/19/17
10/19/17 DOC RETURNED	10/19/17			COMPLETED		10/19/17
NARRATIVE:		Tracking #70160910000098731105 Copy of all notes requested addressed to Melody Marsh Returned to CE on 10/19/2017 Marked by post office: not marked, not signed, envelope not included.				10/19/17
10/20/17 DOC RETURNED	10/20/17			COMPLETED		10/26/17
NARRATIVE:		Tracking #70160910000098731105 NON CE Copy addressed to Melody Marsh Returned to CE on 10/20/2017 Marked by post office unclaimed				10/26/17
11/02/17 DOC RETURNED	11/02/17			COMPLETED		11/03/17
NARRATIVE:		Tracking #first class Foreclosure addressed to Melody Marsh, POA Sik Hing Li Returned to CE on 11/02/2017 Marked by post office not deliverable as addressed.				11/03/17
10/13/17 OFFICE VISIT	10/13/17			COMPLETED		11/07/17
NARRATIVE:		Ms. Marsh, Having met with you in regard to your property on October 13, I advised you that the presented plan was an unacceptable plan. The diagram was not to scale and showed that the Areca Palms would only being planted in front of the exterior pilings, which would not serve to block the pilings from view. This was explained at length. Furthermore, you wanted to plant palms which were no more than 5 feet wide and 8 feet tall. I thoroughly explained why this was not acceptable. In addition, there was no time line and materials list. At that time, you were served with the paperwork regarding the Code Enforcement Board meeting in November. I advised that I would seek to determine if there was an acceptable plan that could be				11/07/17

CASE TYPE	DATE ESTABLISHED	STATUS	STATUS DATE
Parcel Number	INSPECTOR	TENANT NAME	TENANT NBR
ADDRESS			

8-40 DUTY OF MAINT/PRIV PRO 10 27 15 34135 000 0040 1717 MANDALAY DR TARPON SPRINGS	7/16/16 Ofc. Steve Gassen	OPEN IN FINE STATUS V/L MANDALAY BET.1713 & 1719	9/24/16
FL 346892275 10/13/17 OFFICE VISIT	COMPLETED	10/13/17	

NARRATIVE: drawn from the idea, however.

The property on Mandalay has 31 concrete pilings, which are approximately 8 feet tall and have metal sticking out the top approximately 1.5 feet. Thus, the total height is approximately 9 6 .

To properly shield this eyesore of unfinished construction from normal view, it would have involved the following:
 The property would have required 63 Areca Palms, with each palm being 10 feet tall at time of planting and 5 feet wide, being planted around the exterior of the pilings, based on the dimensions of the structure. Each palm would have required approximately 10 gallons of water per day for the first two months. The City Arborist estimated the cost of 10 Areca Palms for purchase and delivery at \$175.00 per tree (estimated total of \$11,025.00). The estimated cost of purchase, delivery and installation was approximately \$275.00 per tree (estimated total of \$17,325).

As there is no water to the property at this time, you would have been responsible to have the water brought to the property and have the trees watered; however, this, also, was not mentioned in your plan. You also explained that you were unhappy with the concept that the trees would have to be maintained for a period of one year.

I forwarded this information to the City Manager and Code Enforcement and have discussed this with them. Based on the discussion, it does not appear that there is an acceptable plan to address this issue at this time. Please ensure that you are prepared for the Code Enforcement Board hearing on 11/9/17.

TOTAL TIME: 1.00

VIOLATIONS:	DATE	DESCRIPTION	QTY	CODE	STATUS	
	7/16/16	8-40 DUTY MAINT OF PRIV PTY	1	8-40	ACTIVE	RESOLVED
		LOCATION:				
		NARRATIVE: Lot overgrown and structure unfinished				7/16/16
	7/16/16	8-52 NUISANCE PROHIBITIONS	1	8-52	ACTIVE	
		LOCATION:				
		NARRATIVE: lot overgrown				7/16/16

FINES:	DESCRIPTION	CHARGE	PAID	BILLED	LIEN AMT	LIEN PAID
	DAILY CODE ENF. - OTHER	.00	.00	.00	.00	.00
	SATISFACTION FEE	10.00	.00	.00	.00	.00




TARPON SPRINGS POLICE DEPARTMENT MEMORANDUM



Robert P. Kochen
CHIEF OF POLICE

"Building a Better Future Through Excellence in Policing"

To: Chief Robert Kochen

From: Major M. A. Trill 

Date: 08/25/17

Reference: Mandalay Code Enforcement Issue

Cc: Code Enforcement File; Sgt. Robert Faugno; Ofc. Gassen

On 08/25/17, Melody Marsh came into the police department to provide documents that have been requested. It is to be noted that I have previously met with Ms. Marsh in the lobby on a prior date and reiterated what needed to be done. At that time, I again referred to her three responsibilities; which have been documented in a previous memorandum and were thoroughly explained to her (with her acknowledgement). The ensuing conversation, on that date, contained a great deal of talking about issues already addressed and explained. She explained that she could not put in any trees/foliage because there was no water on the premises. I explained that she could contact the city in regard to this issue and reiterated her responsibilities to be completed by October 13, 2017.

Since that time, Ms. Marsh has contacted this agency requesting a meeting with the City Manager, the Chief of Police, a representative of the building department. I have explained to her that no meeting would occur, and she was to comply with the requirements listed, which she understood.

On this date, Ms. March arrived, stating that she had only the Power of Attorney completed and provided me with a copy of it. She advised that she had intended to have one individual provide lawn maintenance, however, had opted for another and would supply that documentation in the near future. I advised her that she should simply drop off the paperwork to records, who would supply it to me. She did not provide a project plan as advised; rather, she brought photos of fencing, printed out from a computer and a swatch of cheap astroturf. She asked if it would be acceptable to wrap the multiple 8' pilings with the rubber matting, to which I advised it would not be acceptable. She then showed print outs of vinyl-like fencing and bamboo fencing, adding that she was advised that city code only allows for a 6' fence and she would paint that which extended from the fence. I advised her that we had already discussed that painting would not be acceptable nor was simply placing a fence around the halted construction.



444 S. HUEY AVE, TARPON SPRINGS, FL 34689 - PHONE (727) 938-2849
WWW.TSPD.US



"A Full Service Accredited Law Enforcement Agency"

She was advised numerous times that she was to present an acceptable plan by October 13th, remove the pilings or begin construction, or the city would continue with the foreclosure process. Multiple times she stated that she understood but continued to speak about the past, other issues and things that were not germane or would be beneficial to the resolution of this issue. This was explained to her as well. She continued to state that she was trying to comply, was not a criminal, was not trying to get away with anything, and other similar statements, in addition to advising that she has run out of options. Ms. Marsh stated she had talked to landscapers, who advised that new trees/bushes would require watering; that there was no water to the property; and that she was advised that water and electricity could not be obtained for the property. In regard to my advisement that one of the options was to get a building permit and start construction, she responded that the building department is backed up.

I advised her that she still had until October 13th to complete an acceptable plan. She asked for referrals, to which I had none nor could I give one. I advised her that it was her responsibility to complete the requirements. She again stated that she did not have any other options. I asked if she still wanted the October deadline, stating that we could agree to rescind the deadline and continue as planned. She advised that she still wanted the extended deadline.

Note: She had previously been advised that we would not be meeting on the issue when she came to the police department (only intending to exchange the documents); however, it was obvious that she was attempting to do so. As the discourse continued, and was simply a revisit of topics already covered and addressed, I advised that I was concluding my contact with her (once again reminding her of the options: propose an acceptable plan, remove the pilings and come into compliance, or get a building permit and build – further advising that if the situation was not resolved in one of the aforementioned ways, the city would resume foreclosure procedures. It should be noted that this information had been repeated by me numerous times during the course of the conversation, which she emphatically stated she understood.). I advised her to supply the information to the police department and to contact me via email concerning this issue in the future. I then terminated the contact by exiting the lobby.

Shortly thereafter, I found that Ms. Marsh was still at the police department and had contacted Code Enforcement. Ofc. Gassen was speaking with her in the upstairs hallway. I approached and heard her discussing the very same information that had been previously addressed by me a few minutes prior. I interjected and advised her that these topics had been addressed, reminding her of our recent conversation. I advised her that this issue was now being addressed by the office of the Major of Operations and contact was to take place as explained. I explained that her actions over the course of the last several weeks appear to be “shopping” for city employees to get an answer conducive to her thinking. I explained again that I would be reviewing the project plan, when presented, and she was only to have contact with me in regard to this, as her “meetings” with people contain content that do not fix the situation. I ended the conversation at that time; however, Ms. Marsh began to ask questions about the maintenance of her property. She was advised of the 12” grass standard and that the entire lot was to be mowed/maintained, as it had previously been done (and is, thus, a requirement of the code of ordinances). She asked for a copy of the ordinance(s), and I did supply her with copies of Sections 8-38 to 8-41. She



444 S. HUEY AVE, TARPON SPRINGS, FL 34689 - PHONE (727) 938-2849
WWW.TSPD.US

"A Full Service Accredited Law Enforcement Agency"



then began to speak about other individuals' properties, and we advised that we were currently discussing hers and that she needed to come into compliance.

It should be noted that, upon reviewing prior notes for the property within the code enforcement system, Ms. Marsh had been advised of the violation of the pilings (dating back to 2005). She had previously, on several occasions, advised that she had never been made aware of the pilings being a violation. Having the notes, I confronted her about the fact that she was aware, which contradicted her previous statements. Ms. Marsh advised that she had been advised but added that the Code Board had allowed her to keep the pilings without being a violation. I asked how/why they would allow it, to which she advised that she had told them that she was intending to build on the property. I related that it had been approximately 12 years since that date, and she still had not built upon the property. I informed her that her statements would be considered disingenuous, as she had advised that she was never aware of an issue with the pilings and had told the board that she was going to build (but had failed to do so in over a decade). This ended our contact.

I was advised by dispatch that she had again attempted to contact code enforcement just after I had the previous conversation with her (that included contact coming through my office).

Ms. Marsh is fully aware of what is required and has been given approximately 2 months to complete it. Thus far, she has only provided a copy of what appears to be the Power of Attorney. She has contacted this agency numerous times and mainly discusses topics and issues already addressed. She had been advised that the presentation of items, such as the photocopies today (as well as the display of a swatch of floor covering), would not constitute a plan. Ms. March has been repeatedly advised what needs to be done, and it is her responsibility to complete appropriately.



444 S. HUEY AVE, TARPON SPRINGS, FL 34689 - PHONE (727) 938-2849
WWW.TSPD.US



"A Full Service Accredited Law Enforcement Agency"

Barbara Templeton

From: Mike Trill
Sent: Monday, August 28, 2017 12:15 PM
To: All City Employees
Subject: Melody Marsh - 1717 Mandalay Dr.

To all employees,

Code Enforcement is dealing with an issue of violation at 1717 Mandalay Dr. in regard to maintenance of property and unfinished construction (large concrete pilings that are sticking up from the ground -- and have been for over a decade).

Melody Marsh, who owned the property in 2005, had since had the ownership transferred to her mother, who lives overseas. Ms. Marsh has now supplied a Power of Attorney to make decisions for the property; and, as such, Ms. Marsh is dealing with me in regard to the issue. Evidently, she has contacted numerous people within the city in regard to this issue and has been advised that she is to solely address issues to me in reference to the violations and property concerns. It was noted that, on Friday, after I specifically advised her that I was her point of contact and to address code enforcement issues through my office, she attempted contact again with members of the code enforcement office.

She has requested meetings with the City Manager, Chief, the building department and me. I have already met with her and will not be setting a meeting in regard to issues that have already been addressed. I have explained to her how to handle issues with the property, which she has stated she fully understands.

If Ms. Marsh contacts you or your division in regard to the property or violations thereon, please contact me. I may be able to assist you in this matter. If I have referred her to a specific area/department to answer a question (i.e. I advised her to contact the city in reference to attempting to obtain water for the property), I will let you know, and you can assist as appropriate. If the contact is in reference to issues that I have already addressed, I will have you refer her to me. My email is mtrill@tspd.us.

Please feel free to contact me with any questions or concerns.

MICHAEL TRILL

MAJOR - OPERATIONS DIVISION



**TARPON SPRINGS
POLICE DEPARTMENT**

Building a Better Future through Excellence in Policing

444 South Huey Avenue
Tarpon Springs, FL 34689
(727) 938-2849 - Main
(727) 937-0193 - Fax
mtrill@tspd.us



Please Note: The State of Florida has a very broad public records law under chapter 119. Most written material to or from City officials regarding City business are public records and available to the public or media upon request. Your e-mail communications and/or e-mail attachments may be subject to public disclosure.