



1015 Cultural Park Blvd.
Cape Coral, FL

AGENDA

CAPE CORAL CONSTRUCTION REGULATION BOARD

November 18, 2021	6:00 PM	Council Chambers
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1. Meeting Called to Order

A. Chair Joseph

2. Roll Call

A. Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, Rinko, and Sinclair

3. Review of License Applications as presented for approval or rejection

4. Approval of Minutes

A. Meeting Minutes - September 21, 2021

5. Comments from the Public

6. New Business

A. Approval of 2022 Proposed Meeting Schedule

7. Old Business

8. Comments from Assistant City Attorney

9. Comments from Attorney for the Board

10. Date and Time of Next Meeting

A. The next meeting of the Construction Regulation Board will be held on Thursday, January 27, 2022 at 6:00 p.m. in Council Chambers.

11. Adjournment

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In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Item Number: 4.A.
Meeting Date: 11/18/2021
Item Type: Approval of Minutes

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Meeting Minutes - September 21, 2021

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
▫ Meeting Minutes - September 21, 2021	Backup Material

**MINUTES OF THE CAPE CORAL
CONSTRUCTION REGULATION BOARD REGULAR MEETING**

TUESDAY, September 21, 2021

Council Chambers

6:00 p.m.

Meeting called to order by Chair Joseph at 6:00 p.m.

ROLL CALL

Roll Call: Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, and Sinclair were present. Board Member Rinko was excused.

Also Present: Hal Eskin, Attorney for the Board
John Naclerio, Assistant City Attorney
James Mulligan, Code Compliance Supervisor
Sean Dowd, Code Compliance Officer
Diane Oliver, DCD Customer Service Representative

Board Attendance Review

Chair Joseph asked for a motion to excuse Board Member Rinko from the September 21, 2021 meeting.

Vice Chair Litterello moved, seconded by Board Member Prince, to approve the absence for Board Member Rinko from the September 21, 2021 meeting.

Board polled as follows: Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, and Sinclair voted "aye." All "ayes." Motion carried 10-0.

**REVIEW OF LICENSE APPLICATIONS AS PRESENTED
FOR APPROVAL OR REJECTION**

Chair Joseph performed the roll call of all the applicants and stated that the Board will identify which applicants would be further questioned.

Board Member Gates moved, seconded by Vice Chair Litterello, to approve the following license applications for:

APPLICANT	COMPANY NAME	CATEGORY
Landin, Graziano	Landin Construction LLC	Concrete Forming & Placing
Gonzalez, Mary	Velocity Fencing LLC	Fence Erection
Cowan, John	Cowan Painting II LLC	Painting

Ramos Berrios, Hommy	Aceros Painting LLC	Painting
Wathey, Johnathan	Florida Fence Pro's LLC	Fence Erection
Stier, Gregory C.	The Coating Crew of SW Florida LLC	Concrete Coatings

Board polled as follows: Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, and Sinclair voted "aye." All "ayes." Motion carried 10-0.

Chair Joseph informed the above-mentioned applicants that their license was approved and instructed them to obtain their license on the following day.

Board Member Gates stated he had questions for the following applicant, and she was interviewed as follows:

APPLICANT	COMPANY NAME	CATEGORY
Bencomo Batista, Yanisley	Vertical Fence LLC	Fence Erection

Applicant Bencomo Batista was present and sworn in by Attorney for the Board Eskin.

Discussion held regarding financials, experience, and her Lee County license.

Board Member Costa moved, seconded by Board Member Sinclair, to approve the license for Yanisley Bencomo Batista.

Board polled as follows: Blot, Colley, Costa, Dungan, Greco, and Sinclair voted "aye." Gates, Joseph, Litterello, and Prince voted "nay." Six "ayes", four "nays." Motion carried 6-4.

APPROVAL OF MINUTES

Meeting Minutes – July 29, 2021

Vice Chair Litterello moved, seconded by Board Member Greco, to approve the minutes for July 29, 2021 (meeting), as presented and written.

Board polled as follows: Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, and Sinclair voted "aye." All "ayes." Motion carried 10-0.

COMMENTS FROM THE PUBLIC

None.

NEW BUSINESS

None.

OLD BUSINESS

**Finding of Fact and Final Order – Stanley R. Spicer, Platinum Service LLC,
License #CAC1815634**

Probable Cause: Violating 6-9(a)(12)

Attorney for the Board Eskin swore in Code Compliance Officer Sean Dowd.

Compliance Officer Sean Dowd presented the following Finding of Facts:

- Finding of fact hearing held on May 26, 2021 regarding violations of 6-9(a)(12) and 6-9(a)(17), Cape Coral Code of Ordinances
- 14 outstanding expired permits
- Email notification sent to Mr. Spicer on October 24, 2019
- Courtesy letter sent to address on record on October 28, 2019; no response received
- Officer Letisha Eyster made contact with Mr. Spicer on December 2, 2019 and addressed expired permits, and business's lack of liability insurance
- Officer's Complaint sent certified mail to Mr. Spicer on January 29, 2020
- Good service provided by signed green card
- Officer's Complaint hand delivered to Mr. Spicer on February 2, 2021
- Future attempts to contact Mr. Spicer went unanswered
- Violations remained expired on May 10, 2021
- Notice to Appear hand delivered for the May 26, 2021 Hearing by Supervisor Mulligan on May 10, 2021
- License #CAC1815634 is in violation of 6-9(a)(12) as follows:
 - FBC 105.1 Permit Required
 - FBC 105.4.1.1 Expired permit requires re-instatement
 - FBC 110.3 Inspections required
 - FBC 110.5 Duty of license holder to provide access for inspections
 - 489.126, FS Monies received by contractors
- License #CAC1815634 is in violation of 6-9(a)(17)
- Disciplinary Action for the permit pulling privileges for Stanley R. Spicer, Platinum Service LLC., holder of state license #CAC1815634, are hereby suspended in the City of Cape Coral until the expired permits in Attachment A are resolved and the respondent appears before the Board for re-evaluation.

Board Member Gates moved, seconded by Board Member Prince, to accept the Finding of Fact and Final Board Order (Disciplinary Action for the permit pulling privileges for Stanley R. Spicer, Platinum Service LLC, holder of state license #CAC1815634, are hereby suspended in the City of Cape Coral until the expired permits in Attachment A are resolved and the respondent appears before the Board for re-evaluation.)

Board polled as follows: Blot, Colley, Costa, Dungan, Gates, Greco, Joseph, Litterello, Prince, and Sinclair voted "aye." All "ayes." Motion carried 10-0.

COMMENTS FROM ASSISTANT CITY ATTORNEY

Introduction of new Board Member Dungan.

COMMENTS FROM ATTORNEY FOR THE BOARD

None.

DATE AND TIME OF NEXT MEETING

The next meeting of the Construction Regulation Board was scheduled for Thursday, November 18, 2021, at 6:00 p.m. in Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:23 p.m.

Submitted by,

Rose DePaula
Recording Secretary

Item Number: 6.A.
Meeting Date: 11/18/2021
Item Type: New Business

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Approval of 2022 Proposed Meeting Schedule

SUMMARY:

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
□ 2022 Proposed Meeting Schedule	Backup Material

CONSTRUCTION REGULATION BOARD

2022 Meeting Schedule

Meetings are held on the 4th Thursday of every other month
at 6:00 p.m. in Council Chambers.

January	27
March	24
May	26
July	28
September	22
November	17*

*Regular meeting would be November 24, 2022, Thanksgiving.

Proposed November 18, 2021