



Special Magistrate Regular Meeting Minutes

Wednesday, May 28, 2025 at 3:00 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach,
FL 32136



1. Call the meeting to order

Magistrate Popp called the hearing to order at 3:00pm.

2. Roll Call

City Attorney Drew Smith, Code Enforcement Officer John Gifford, Code Enforcement Officer Gary Hinebaugh, Sergeant D. Blank and Clerk to the Magistrate Michele Ficocello.

3. Approve Minutes

- a. April 23, 2025 Special Magistrate Minutes
Approved.

4. Deletions and changes to the agenda

None.

5. Request To Identify Persons Having Cases on The Agenda

6. Parking Citation Appeals

- a. Citation P01427FB; Nancy Morea

The Appellant was present and sworn in by the Clerk. Sgt. Blank was present. The Appellant testified the vehicle was not parked but disabled. The Appellant stated once the vehicle was inoperable, a tow truck was called to remove it. The disposition of the City is to dismiss the citation. Magistrate Popp granted the appeal and dismissed the citation.

- b. Citation P01351FB; Jan Michael Casiano

The Appellant was present and sworn in by the Clerk. Ofc. Jones was not present but provided an affidavit in support of the citation. The Appellant testified he is a local business owner and stated the violation occurred during Bike Week when the business parking lot was closed off. The Appellant stated he needed to off load supplies and during that short period of time the citation was written. The Appellant stated he thought he had done his due diligence getting permission from the surrounding business owners to park where he did. Magistrate Popp explained the safety concerns with parking in the street and on the sidewalk. The City's disposition, based on the circumstances, is to accept community education. Magistrate Popp ordered, in lieu of paying the fine, the Appellant to educate ten (10) licensed drivers with sixty (60) days to complete.

7. New Cases - Code Enforcement

- a. EEN24-0088; 2554 S CENTRAL AVENUE

The Respondent appeared via telephone and was sworn in by the Clerk. Code Enforcement Officers Gifford and Hinebaugh were sworn in by the Clerk. Mr. Gifford provided a PowerPoint presentation along with photographic evidence. Mr. Gifford testified the property has come into compliance and has a contractor scheduled to complete further construction. Discussion ensued related to compliance and potential future violations. The City's disposition, based on the cooperation of the Respondent, is to waive the mailing costs. Magistrate Popp emphasized that if the violation should reoccur, it would be considered a repeat violation. Magistrate Popp ordered the case closed.

8. Status Updates - Code Enforcement

None.

9. Other Business

Code Enforcement reported no cases on the upcoming agenda. The Clerk reported three, possibly four parking citation appeals on the next agenda. A discussion ensued related to the future of telephonic appearances and the possibly of virtual appearances. The Clerk will follow up on possible options. The Clerk requested clarification related to approvals for telephonic appearances. The City Attorney clarified, since the new form requires notarization, an ex-parte ruling from the Magistrate is not required. The Clerk can forward the request to the City Attorney, if the reason is questionable. Discussion ensued related to the new agenda management software. Discussion ensued related to fence inspections by Code Enforcement.

10. Adjournment

Magistrate Popp adjourned the hearing at 3:41pm.