



## Special Magistrate Regular Meeting Minutes AMENDED

Wednesday, July 23, 2025 at 3:00 PM

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



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### 1. Call the meeting to order

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

### 2. Roll Call

City Attorney Drew Smith, Police Chief M. Doughney and Clerk to the Magistrate Michele Ficocello.

### 3. Approve Minutes

- a. June 25, 2025 Minutes

Approved

### 4. Deletions and changes to the agenda - None

### 5. Request To Identify Persons Having Cases on The Agenda

Magistrate Popp prefaced the hearing with addressing the Appellants present with education on the Magistrate process and case presentation. Magistrate Popp provided education on the safety concerns related to parking in the wrong direction.

### 6. Parking Citation Appeals

- a. 3039; Alissa Lacerenza; Chief M. Doughney # 7066

The Appellant was present and sworn in by the Clerk. Chief Doughney was present and sworn in by the Clerk. The Appellant testified she had difficulty finding parking to attend her job at the Golden Lion Restaurant. The City recommended a reduction of the fine to \$25.00 and community education. Magistrate Popp ordered the fine be reduced to \$25.00 and community education of twenty-five (25) licensed drivers with sixty (60) days to complete.

- b. 3040; Joyce DeMatteis \*Telephonic Appearance\*; Chief M. Doughney # 7066

The Appellant appeared via telephone and was sworn in by the Clerk. Chief Doughney was present. Magistrate Popp provided education on the safety concerns related to parking in the wrong direction. The Appellant testified she was confused by the signage. The City Attorney explained the signage is private and not provided by the City. Magistrate Popp

ordered the citation upheld and the original fine to be paid. The Appellant will receive the order via mail.

- c. P01519FB; Timothy Adams; Officer M. Guerrero # 7055

The Appellant was present and sworn in by the Clerk. Ofc. Guerrero was present and sworn in by the Clerk. The Appellant testified he was confused by the decorative brick area and thought it was a parking spot. The Appellant stated he is new to the area. The City recommended a reduction in the fine and community education. Magistrate Popp ordered the fine reduced to \$25.00 and community education of twenty (20) licensed drivers with sixty (60) days to complete.

- d. P01517FB; Nicole Kendall; Officer M. Guerrero # 7055

The Appellant was present and sworn in by the Clerk. Ofc. Guerrero was present. The Appellant testified she did not see a sign prohibiting the way she parked. Discussion ensued related to the way the Appellant parked. The City recommended a dismissal of the citation due to the fact no bodycam evidence was available. Magistrate Popp ordered the citation dismissed.

- e. P01493FB; James Tarus; Officer M. Guerrero # 7055

The Appellant was present and sworn in by the Clerk. Ofc. Guerrero was present. The Appellant testified he was only parked for a few minutes to pick up a pizza on Memorial Day weekend. Discussion ensued related to the way the Appellant parked and the safety concerns. The City recommended a reduction in the fine and community service. Magistrate Popp ordered a reduction in the fine to \$40.00 and a beach cleanup community service for three (3) hours with sixty (60) days to complete.

- f. 1416; Stephanie Vogt; Officer E. Scherr # 7078

The Appellant was present and sworn in by the Clerk. Ofc. Scherr was not present. The Appellant testified she was loading/unloading items for her vendor booth and other vehicles were parked the same way. Discussion ensued related to the way the Appellant parked. The Appellant submitted photographic evidence to the Magistrate (attached to minutes). The City recommended dismissal based on the circumstances and the Officer not being present. Magistrate Popp ordered the citation dismissed.

- g. P01566FB; Fadi Faraj; Officer E. Luttrell # 7089

The Appellant and his wife, Elizabeth Faraj, were present and sworn in by the Clerk. Ofc. Luttrell was not present. The Appellant testified he was going to an appointment and was confused by other vehicles parked in the wrong direction. Discussion ensued related to the way the Appellant parked. Magistrate Popp ordered the fine reduced to \$25.00 and education of twenty-five (25) licensed drivers with sixty (60) days to complete. The City had no objection to the order.

- h. P01547FB; George Myers; Officer E. Luttrell # 7089

The Appellant was present and sworn in by the Clerk. Ofc. Luttrell was not present. The Appellant testified he has been parking the same way for years and there has never been an issue. Discussion ensued related to the way the Appellant parked. The City explained the new striping and no parking signs are from FDOT and would recommend community education. Magistrate Popp ordered the fine be dismissed and community education of ten (10) licensed drivers with sixty (60) days to complete.

i. P01719FB; Dwight Robinson; Officer C. Romero # 7091

The item was moved to item 6j. The Appellant appeared via telephone and was sworn in by the Clerk. Ofc. Romero was not present but submitted an Affidavit in Support of Citation. Magistrate Popp provided education related to the safety concerns with parking in the wrong direction. The Appellant testified he parked in the wrong direction due to his disability. Discussion ensued related to the way the Appellant parked. The City inquired as to how long the vehicle was parked. The Appellant stated he was parked for approximately ten to twenty minutes. The City recommended a reduction in the fine. Magistrate Popp ordered the fine reduced to \$25.00 with sixty (60) days to complete. The order will be sent via mail.

j. P01652FB; David Boettger; Officer C. Romero # 7091

The item was moved to item 6i. The Appellant was present and sworn in by the Clerk. Ofc. Romero was not present. The Appellant testified he did park in front of a no parking sign. The City recommended a reduction in the fine and community education. Magistrate Popp ordered the fine reduced to \$30.00 and community education of twenty-five (25) licensed drivers with sixty (60) days to complete.

k. P01593FB; Victoria Dagnell \*Telephonic Appearance\*; Officer C. Romero # 7091

The Appellant appeared via telephone and was sworn in by the Clerk. Ofc. Romero was not present but submitted an Affidavit in Support of Citation. The Appellant testified that the signage was confusing. Discussion ensued related to the way the Appellant parked. Magistrate Popp explained the signage has been recently installed by FDOT and the reason why. Magistrate Popp ordered the fine reduced to \$30.00 and community education of twenty (20) licensed drivers with sixty (60) days to complete. The City did not object to the order. The order will be sent via mail.

**Commented [MF1]:** Item 6k. was amended at the August 27, 2025 Special Magistrate Hearing to include the Appellant contacting the Clerk to the Special Magistrate after the hearing and requesting to pay the original fine in lieu of the Magistrate order. Magistrate Popp was contacted by the Clerk and approved to the request.

**7. New Cases - Code Enforcement - None**

**8. Status Updates - Code Enforcement - None**

**9. Other Business**

Discussion ensued related to Magistrate processes related to orders and telephonic appearances. The Clerk inquired as to the process for code enforcement cases that are closed but have not paid their fees ordered by the Magistrate. The Clerk reported no parking citation appeals scheduled

for the upcoming agenda and will follow-up with Code Enforcement for potential cases on the August 2025 agenda. Discussion ensued related to parking violations.

**10. Adjournment**

Magistrate Popp adjourned the hearing at 4:56pm.

