



Special Magistrate Regular Meeting Minutes

Wednesday, June 24, 2026 at 3:00 PM

1. Call the meeting to order

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

2. Roll Call

Acting City Attorney Holli New, Code Enforcement Officer John Gifford, Chief Building Official Glen Urquhart and Clerk to the Magistrate Michele Ficocello.

3. Approve Minutes

- a. May 27, 2026 Meeting 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. P02746FB; Sue Ellen Capstick; Officer C. Romero # 7091

The appellant was not present. The officer was not present but provided an affidavit in support of citation. The Clerk reported the appellant had been properly served a notice of hearing. Magistrate Popp ordered the citation upheld, pay the original fine amount of \$100.00 and administrative costs to be paid in the amount of \$19.20 with thirty (30) days to remit payment.

- b. P02675FB; James Coker; Officer C. Romero # 7091

The appellant was present and sworn in by the Clerk. The officer was not present but provided an affidavit in support of citation. The appellant submitted photographs to the Magistrate which had already been included in the agenda packet. The appellant testified he did not see a no parking sign and did not realize he committed a violation. The appellant admitted he made a mistake and offered to pay the fine including all administrative costs. Discussion ensued related to alternative remedies. Magistrate Popp ordered the citation upheld, the fine reduced to \$50.00, administrative costs to be paid in the amount of \$9.60 with thirty (30) days to remit payment.

- c. P02696FB; Leonardo Pagliaricci; Officer C. Romero # 7091

The appellant was present and sworn in by the Clerk. The officer was not present but provided an affidavit in support of citation. The appellant testified he was providing

volunteer irrigation services to his local church and did not realize he was committing a violation. Discussion ensued related to the nature of the violation and safety concerns. Magistrate Popp ordered the citation upheld, the fine reduced to \$30.00, administrative costs to be paid in the amount of \$9.60 with thirty (30) days to remit payment and a community education effort educating twenty (20) licensed drivers with sixty (60) days to complete.

- d. P02615FB; Christopher Edwards *Telephonic Appearance*; Officer E. Luttrell # 7089

The appellant was present via telephonic appearance and sworn in by the Clerk. The officer was not present. The appellant testified he did not realize he was committing a violation. Discussion ensued related to the safety concerns with parking in the street. Magistrate Popp ordered the citation upheld, the fine reduced to \$30.00, administrative costs to be paid in the amount of \$9.60 with thirty (30) days to remit payment and a community education effort educating twenty (20) licensed drivers with sixty (60) days to complete. The Clerk will ensure that the order and available payment options are properly provided to the appellant.

7. New Cases - Code Enforcement

- a. EEN26-0178; Audrey F. Rutkowski-Westbrook & Michael Westbrook, Jtwros; 2228 S. Central Avenue; 19-12-32-4400-00020-0050; City of Flagler Beach Code of Ordinances, Chapter 13 - Nuisances Section 13-1 (4)(5)

The Respondent was not present for the hearing after being duly noticed. Mr. Gifford testified regarding the violation, including the status of the violation, and presented a PowerPoint in support of his testimony. A brief discussion ensued concerning the appropriate course of action and the procedural steps to be taken moving forward. Magistrate Popp granted the Respondent fifteen (15) days to apply for the required permit, establishing a compliance date of July 9, 2026, and ordered the matter to be placed on the July 22, 2026, agenda for a status hearing. The Magistrate emphasized the importance of the Respondent's presence at the hearing. Chief Building Official Glen Urquhart was sworn in by the Clerk and provided testimony regarding his ability to reach out to the Respondents to facilitate compliance.

8. Status Updates - Code Enforcement

- a. EEN26-0028; Sandy Ridge Investment LLC, Inc.; 2261 S Flagler Avenue; 19-12-32-4550-00030-0230; Florida Building Code Section 105.1 (A)

Item moved after 7c. The Respondent's legal representative, Alanna Smith with Cobb Cole Law Firm was present. Code Enforcement Officer John Gifford was sworn in by the Clerk. Mr. Gifford testified regarding the violation, including the status of the violation, and presented a PowerPoint in support of his testimony. Ms. Smith provided a brief history describing the property owner's financial and contractor issues. Ms. Smith requested another thirty (30) days to cure the violation. The Respondent's legal representative stated her client is actively working towards compliance and estimated the cost of work is approximately \$40,000.00. Magistrate Popp granted forty-five (45) days for the Respondent to cure the violation, establishing a compliance deadline of August 8, 2026. The Magistrate

further ordered that the matter be placed on the September 2026 Hearing agenda for a status review. The Magistrate stipulated that if the property is verified to be in compliance by the cure date, only a staff report will be required and issuance of a notice of hearing will not be necessary. In addition, the Magistrate ordered the Respondent to remit administrative costs in the amount of \$48.00, with thirty (30) days allowed for payment.

9. Other Business

Discussion ensued related to upcoming agenda items for the July 2026 hearing date, mailing costs and fines.

10. Adjournment

Magistrate Popp adjourned the hearing at 4:20pm.