

CITY OF DAYTONA BEACH

MINUTES – Red Light
Camera Violations

SPECIAL
MAGISTRATE
HEARING

July 8, 2014 10:30 AM
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida

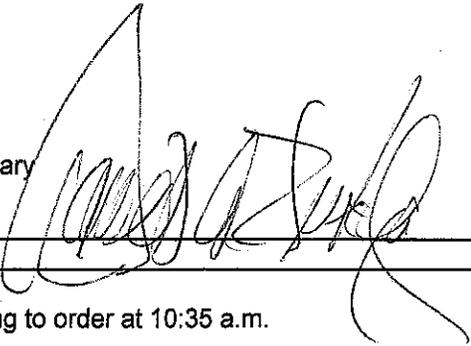
ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney
Gary Sault
Ofc. C. Pearsall
Ofc. C. Cassidy
Ofc. D. Diaz
Ofc. J. Kilker
Tiffany Enborg

Ms. Aimee Hampton, Secretary

Approval of Minutes by:  _____ Special Magistrate

Mr. Vukelja called the Hearing to order at 10:35 a.m.

Mr. Vukelja approved the minutes of the June 10, 2014 Red Light Camera Proceeding Minutes.

Mr. Vukelja asked if there were any announcements.

Ms. Hampton stated there were no announcements.

Ms. Hampton swore in members of staff that would be testifying.

Hearing of Cases

Case 1

CITATION NO. 0160155949 - Michael P. Wilcox is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Michael Wilcox came forward and was sworn.

The video was reviewed.

Mr. Wilcox stated he did not realize he ran the red light but after watching the video agreed to the violations.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days.

Case 2

CITATION NO. 0160161232 - Heith L. Williams is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Heith Williams came forward and was sworn.

The video was reviewed.

Mr. Williams stated he wished to contest the violations and presented argument of his position.

Mr. Vukelja listed to argument from the Respondent.

Mr. Jackson stated the standards under the traffic rules and criminal rules do not apply in an administrative proceeding.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$100 administration fee payable in 30 days.

Case 3

CITATION NO. 0160160220 - Sofia Avila is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Sofia Avila came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 4

CITATION NO. 0160160569 - Matthew T. Jackson is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Matthew Jackson came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 5

CITATION NO. 0160161463 - Melanie A. Wargo is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Melanie A. Wargo came forward and was sworn.

The video was reviewed.

Ms. Wargo stated the vehicle was her ex-husband's vehicle and she has proof she was in New Orleans.

Ms. Wargo presented flight tickets and said she completed the affidavit along with his name and phone number.

Mr. Jackson stated the City would need his name and date of birth on the form.

Ms. Jackson stated they could print a form and have Ms. Wargo complete and affidavit of transfer of liability.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 6

CITATION NO. 0160161219 - Vanerio C. Peoples is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 7

CITATION NO. 0160159288 - Michael G. Alhofen is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Michael Alhofen came forward and was sworn. Mr. Alhofen stated he was not the driver and filed an affidavit of transfer of liability.

Mr. Jackson stated without a date of birth or driver's license number they are unable to transfer the liability.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 8

CITATION NO. 0160158726 - Joseph H. Ander is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 9

CITATION NO. 0160158781 - Blaine S. Baughman is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Blaine S. Baughman came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 10

CITATION NO. 0160160101 - Regina M. Bennett is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Regina M. Bennett came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 11

CITATION NO. 0160159926 - Stephanie M. Greene is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 12

CITATION NO. 0160159650 - Anna M. Marley is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 13

CITATION NO. 0160161130 - Michel H. Metvas is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Michael Metvas came forward and was sworn.

The video was reviewed.

Mr. Metyas stated he did not drive the car that day but did not know who was driving.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 14

CITATION NO. 0160160361 - Jerry D. Shank is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 15

CITATION NO. 0160160114 - Charles L. Thrower is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 16

CITATION NO. 0160161181 - Christine M. Croteau is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Christine Croteau came forward and was sworn. Ms. Croteau stated she had a mechanical failure with her brakes and brought the paperwork and she had to use her e-brake.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 17

CITATION NO. 0160161198 - Jennifer Cortez is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Jennifer Cortez came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 18

CITATION NO. 0160160068 - Jennifer Cortez is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Jennifer Cortez came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 19

CITATION NO. 0160159811 - Ahmed S. Eltemamy is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Ahmed S. Eltemamy came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 20

CITATION NO. 0160159261 - Leslie E. Hendricks is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Leslie E. Hendricks came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 21

CITATION NO. 0160159663 - Loleeta N. Jones is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Loleeta N. Jones came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 22

CITATION NO. 0160160300 - Ricky McDonald is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Respondent was not present.

Ruling

Mr. Vukelja found the Respondent liable for the violation and imposed the fine of \$158 plus \$50 administration fee payable in 30 days

Case 23

CITATION NO. 0160158821 - Joseph A. Santovenia is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Joseph Santovenia came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 24

CITATION NO. 0160160877 - Brittany A. Savage is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Ms. Brittany A. Savage came forward and was sworn.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Case 25

CITATION NO. 0160160798 - Nikolay D. Stamboliyski is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Nikolay Stamboliyski came forward and was sworn.

Mr. Jackson stated he Mr. Stamboliyski stated he sent in the payment for the \$158 but it never cleared so he requested a hearing. Mr. Jackson stated the payment has not cleared.

The video was reviewed.

Ruling

Mr. Vukelja found the Respondent not liable.

Miscellaneous Business

Case 1

CITATION NO. 0160153814 - Gabriel Cassanova is cited for Section 316.074(1) or Section 316.075(1)(c), Florida Statutes, - **Photo/Camera - Failure to Stop at Steady Red Signal**

Mr. Jackson stated the City was requesting a dismissal due to a due process violation as Mr. Cassanova was not noticed for the hearing.

Ruling

Mr. Vukelja entered an Order of Dismissal of the Order Upholding the Notice of Violation.

Adjournment

The meeting was adjourned at 11:55 a.m.