



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, OCTOBER 7, 2020**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, October 7, 2020 in the Council Chamber of the Florence Government Center with Code Enforcement Board Chairman, Jim Johnson presiding.

CALL TO ORDER & ROLL CALL:

Chairman Johnson called the meeting to order and requested a roll call. Present were the following four (4) Board members: Lance Howard, Rick Rowland, Bill Sharp, and Jim Johnson. Board Member David Spille was absent.

Also present: Thomas Nienaber, Attorney; Brandi Roundtree, Assistant City Clerk; Jeremy Kleier, Community Services Superintendent; Mike Macaluso, Code Enforcement Officer; Brian DeCarlo, Code Enforcement Officer; Randy Childress, Fire Marshall; Ki Ransdell, Police Officer. In the audience: Joni Parnell, contesting; Attorney Angela Greene, contesting; Mike Mandell-Brown, contesting; Dr. Michael Robinson, contesting; Monica Howe, contesting; Charles Ritter, contesting; Maimoona Sumra, contesting; Gina Braehler, contesting; Joe Massa, continued case; David Steele, attorney for Joe Massa, continued case; Debra Garijo-Gillon, continued case; and Jenny Rice, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the August 5, 2020 meeting of the Code Enforcement Board. Board Member Sharp motioned to accept the minutes as read with a second from Board Member Howard. **Motion carried by unanimous vote.**

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASES (10):

**Contested Case #2020-258-PM/ZG
7705 Walnut Creek Drive
Contested by Joni Parnell**

**City of Florence vs. Harold Fortner
Citation # MM-2020-299**

Officer Macaluso presented the case as follows: Officer Macaluso received an anonymous tip on 6/22; he inspected the property the same day and found 7 violations including, high weeds and grass, trash and debris, unlicensed and disabled vehicle, landscaping overgrown, and screen door in disrepair; a letter was sent. On 7/7, inspected property and no change, first citation was issued. On 7/14, Officer Macaluso received a call from Joni. She explained her situation and that work would start on the house on 8/4. Inspected property, observed work being done, grass was cut, trash and debris had been removed, high weeds and grass from landscaping had been removed, disabled vehicle had been removed. Inspected property on 10/1 and house was in compliance. Inspected yesterday (10/6) still in compliance. Only one citation issued for \$350.00 and the city has not incurred any cost.

Joni Parnell appeared on behalf of her father, Harold Fortner. She is his power of attorney. Her mother passed away and she is now taking care of her father and her 9 year old nephew with autism. She put in a change of address form and the first time she received notice of the citation was the day she talked to Officer Macaluso. She is requesting that her fines be reduced or waived. Mr. Rowland motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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Contested Case #2020-229-PM
23 Dortha Ave
Contested by Bob Hahn

City of Florence vs. ETH Properties
Multiple Citations

Officer Macaluso presented the case as follows: Mr. Hahn spoke with Melissa Kramer, City Clerk, and stated he had a conflict, he apologized, and requested a continuance to next month. Officer Macaluso stated that the property was in compliance, but now there are two tires in the front yard. Officer Macaluso is going to contact Mr. Hahn to have the issue corrected. Mr. Howard motioned to continue the case to the November 4, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-263-PM
7705 US 42
Contested by Attorney Angela Greene

City of Florence vs. Greene & Associates
Citation # BD-2020-102

Officer DeCarlo presented the case as follows: On 4/20, Officer DeCarlo observed overgrown landscaping, specifically on the left side of the building. The bushes had grown over the curb. A letter was not sent due to violation notices being placed on hold as a result of COVID-19. Inspected property on 5/14, no change. Enforcement initiated in June and therefore a letter was sent on 6/26; 7/23 inspected the property, no change, sent another letter; 8/3 no change; 8/4, first citation was issued for the landscape condition. Completed an inspection on 9/1 and the bushes have been trimmed on the west side of the building. However, the east side of the building contains weeds throughout the bushes. The west side is in compliance, but the east side of the building is not.

Attorney, Angela Greene, appeared on behalf of Greene & Associates and stated Officer DeCarlo is identifying new violations not included on the citation received. Ms. Greene further stated the letter was dated 6/26, post marked 6/30, and not received until 7/5, after the due date to fix the issue. Ms. Greene provided the letter to Officer Ransdell to give to Chairman Johnson. Mr. Johnson informed Ms. Greene that the letter she provided is not a citation, it is a notice of violation stating that there is a violation which needs to be fixed.

Ms. Greene had her landscaper clean the weeds on the west side of the building. The weeds on the east side of the building were not cited in the initial citation and those weeds are not on her property. Ms. Greene believes overgrown weeds do not interfere with anyone's safety and it is not violating the substance of the code. Ms. Greene stated she is contesting the process of receiving the citation and the substance of the citation. She requested the \$50.00 fee be waived.

Mr. Johnson explained to Ms. Greene that the Code Board upholds the codes established by City Council. Code violations do include high grass and weeds. Officer DeCarlo confirmed that the first pictures of the east side were taken after the notices were sent and was not part of the initial citation. Per the citation issued, the property is compliance. Mr. Howard motioned to dismiss the citation. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-268-PM
50 Kelley Drive
Contested by Mike Mandell-Brown

City of Florence vs. Emily Larison
Citation # BD-2020-107

Officer DeCarlo presented the case as follows: Received a call in June regarding a pothole at the corner of Kelley and Stonegate. It is the property owner's responsibility to maintain. Notice was sent. Observed door in the front drive, also sent a trash and debris notice on 6/17. On 6/23, the door was removed; 7/21 no change to the hole on the backside of the curb; another notice was sent on 7/22; 8/11 no change. First citation was issued on 8/12. The same day, received a call from Mike and discussed repair of hole. Mike explained that commercial trucks had gone through the area to a construction site nearby and created the hole. Officer DeCarlo informed Mike he could fill the hole with rocks and dirt and he would be in compliance. Property has been in compliance since 9/1.

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Mike Brown appeared on behalf of Emily Larison and stated that he moved in the house about 3-4 years ago and a small ditch was there. There is a new development on Hopeful Church Road causing traffic with construction trucks causing the ditch to become larger. He was unaware he was responsible. Will repair it more permanently. Mr. Brown requested the fines to be dismissed. Mr. Sharp motioned to dismiss the citation. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-96-PM
102 St. Jude Circle
Contested by Linda White

City of Florence vs. Ola Miley
Citation # MM-2020-122

Officer Macaluso presented the case as follows: Linda White failed to appear. Officer Macaluso stated that he inspected the property and the trim still has peeling paint. Landscaping has been an issue for years. Officer Macaluso requested the board uphold the citations. Mr. Rowland motioned to uphold the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-200-PM
8544 US 42
Contested by Dr. Michael Robinson

City of Florence vs. Robinson & Sons, LLC
Citation # MM-2020-253

Officer Macaluso presented the case as follows: On 1/30 he observed the dumpster gate was in disrepair and sent a letter. 3/16 dumpster gate was still in disrepair, first citation was issued. Mr. Kleier received a message from Dr. Robinson informing him that he would come into compliance. On 4/9 Mr. Kleier spoke with Dr. Robinson and stated that Mill's Fence had completed the work and that an inspection could be completed. Officer Macaluso completed inspection on 4/22 and observed a new fence.

Officer Macaluso spoke with Dr. Robinson and let him know that a minor site plan change needs to be obtained. On 10/7 Officer Macaluso attempted to find out if a minor site plan change had been obtained. Per the City's zoning regulations, chain linked fences are not allowed. As of right now, the property is not in compliance.

Dr. Michael Robinson appeared on behalf of Robinson and Sons and stated that the building was built in 2008. The doors on the dumpster enclosure were like "giant sails" and he was always having to get them fixed or replaced. The wind comes down off the hill and rips the doors off the hinges. Dr. Robinson stated that Mills Fence told him that it was a bad design and would not be fixed properly. Suggested the chain link fence with the privacy woven through it. The wind will go right through it instead of ripping the doors off. Dr. Robinson stated that he has other properties in Walton that have the same fence and there has been no issue.

Chairman Johnson asked Officer Macaluso if the prohibition of the chain link fence is a county regulation or a city regulation. Officer Macaluso stated it is a county regulation and he is not able to comment on the properties in Walton.

Dr. Robinson stated Mill's Fence told him they would take care of filing the minor site plan. Officer Macaluso stated that the last time he followed up with the county was on 4/22 and there was nothing filed at that time. Dr. Robinson requested that the case be continued for 60 days to be able to come into compliance. Mr. Howard motioned to continue the case until the December 2, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

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Contested Case #2020-267-PM
8020 Action Blvd.
Contested by Mohamed Zineddin

City of Florence vs. Islamic Center of NKY
Multiple Citations

Officer DeCarlo presented the case as follows: Mohamed Zineddin failed to appear. Officer DeCarlo stated there were landscaping issues, specifically weeds throughout the bushes and the bushes extending over the sidewalk. First citation was issued and paid. Second citation issued and contacted Officer DeCarlo. Officer DeCarlo explained the weeds and bushes needed to be cut back. Completed all of the work and currently in compliance. Officer DeCarlo stated that he is not opposed to dismissing the citation or upholding it. Mr. Rowland motioned to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2019-410-OC
4895 Houston Road

City of Florence vs. Monica Howe
Multiple Citations

Officer Macaluso presented the case as follows: Monica is a real estate agent in Florence. 6/24/19 he reviewed all of the agents in Florence. A letter was sent the same day; 8/28 followed up with the finance department and no Occupational License had been obtained, first citation was issued; 5 citations issued between August of 2019 and March of 2020. Officer Macaluso was contacted by the finance department that an Occupational License was being obtained following the 5th citation. Ms. Howe has obtained her license and she is now in compliance. Total of 5 citations issued in the amount of \$1,100.00. City has not incurred any costs and no liens filed. Mr. Rowland motioned to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-111-PM/ZG
109 Lee Street

City of Florence vs. Charles & Rachel Ritter
Multiple Citations

Officer Macaluso presented the case as follows: Case goes back to 2011 and multiple officers and multiple officers. There are 6 citations for a total of \$2,400.00, including one lien with a city expense of \$46.00. The active code violation do still exist for trash and debris. Inspected property on 10/6, trash and debris in the driveway and the landscaping is still overgrown.

Chairman Johnson clarified trash and debris remained and inquired if the unlicensed vehicle issue has been resolved. Officer Macaluso stated that the truck is still there and remains unlicensed. Mr. Ritter confirmed that there is a title issue with the truck and therefore remains unlicensed. Chairman Johnson inquired if a trailer remains on the property. Officer Macaluso confirmed that the trailer is there, but is in compliance.

Charles Ritter appeared and stated the problem with the landscaping is that his wife had envisioned specific landscaping which was being maintained for a time. However, she now has a debilitating disease and is no longer able to maintain the landscaping. Mr. Ritter stated he also unable to maintain the landscaping and receive assistance when they can. Most of the debris in the yard is from his children.

Mr. Ritter requested citations be dismissed to allow him to start over. He explained that there are power-wheels in the yard. Officer Macaluso stated that there are power-wheels; however, there are also tires and other miscellaneous items. Mr. Ritter assured the board he would get the debris cleaned up. He is cleaning out his shed and he would be able store some of the items in the shed. Mr. Howard motioned to continue the case to the November 4, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case #2019-152-PM

City of Florence vs. Maimoona Sumra

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8218 North Dilcrest Circle

Multiple Citations

Officer DeCarlo presented the case as follows: Case began in February 2019, observed trim missing; soffits with holes on the right side and above front door; and trash and debris in the driveway. Sent a letter on 2/21/19; 4/29/19 trim was repaired and soffits were still an issue. 5/8/19 issued first citation for eaves in disrepair; 5/14/19 received a call from Mr. Sumra stating that he had been undergoing a financial crisis and had to file bankruptcy and close his business. Officer DeCarlo gave him until 8/1/19 to get the eaves fixed or to call back if he needed more time. Mr. Sumra called and asked for more time due to ongoing financial issues. 10/1/19, no change; 2/14/20, no change to the soffits. On 12/5/19 there was a lien filed. On 12/12, he spoke to Melissa and explained that he still had financial difficulties and once he was able to come into compliance, he would. On 1/16/20, still no change, issued second citation for holes in soffits. On 1/17/20, Officer DeCarlo received a call from Mr. Sumra and he stated he was still having financial difficulties; 1/23, spoke to Mr. Sumra he assured Officer DeCarlo he would come into compliance. 3/30 observed the soffits above front door were repaired, still some issues with soffits on right side of house; 5/4 those were repaired. Currently in compliance. \$250 in citations and \$36 in lien fees.

Maimoona Sumra appeared and stated that he had financial issues as a result of being injured and being self-employed. He had surgery and had to close down his business, causing the violation so long to be repaired. He did his best to keep in contact with Officer DeCarlo. Mr. Sumra requested that his citations be dismissed. Mr. Sharp motioned to dismiss the citation but uphold the \$36.00 city expense. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-288-PM
8605 Haines Drive
Contested by Gina Braehler

City of Florence vs. Braehler Properties, LLC
Citation # BD-2020-119

Officer DeCarlo presented the case as follows: In June, Officer DeCarlo observed the sign was missing a panel. Sent notification to the property owner. 7/29, no change, sent an additional notice; 9/1 no change, issued first citation. Received call from Gina Braehler the same day and stated she never received notice from property owner that there was a citation; 8/13 one of the letters was returned stating that the forwarding time expired. Property is currently in compliance. Mr. Rowland motioned to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

RECOMMENDATION FOR DISCUSSION AND ACTION:

Foreclosure Case #003-2020
7718-7736 US 42

City of Florence vs. Griffith Holdings, LLC

Officer Kleier presented the case as follows: Property on the corner of Ewing and US 42. Citations date back to 2018. Current issues began in December 2019. Letter was sent for multiple violations in December and first citation was issued in January. There are a range of violations on citations issued. The parking lot is an issue and requires a minor site plan. When a vehicle went through the front of the building, the building was repaired differently, which required a minor site plan. Also changed the color on some of the building, along with a CO2 canister out in the open, pavement, and a patio area that was added. All require minor site plans application and approval. Side walk and driveway issues, high weeds off and on, trash and debris off and on. Contractor cleaned the property. Fence is in disrepair; roof and drainage issues; temporary advertising issues.

Chairman Johnson asked if these issues were with the whole complex or contained to one business. Officer Kleier confirmed that it was the entire complex.

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The owner has proposed to change part of the complex to apartments and a laundry mat. They began work on the interior and have not obtained tenant finish permits for that work. They have had minimal contact with the owner. The city has offered to meet with the owner to discuss the issues and that has not occurred.

Due to the time this has been occurring, the lack of action, and the amount of fines accruing, Officer Kleier recommend that the case be sent to City Council for Foreclosure Action. Mr. Sharp asked if this would affect any of the tenants in the building. Officer Kleier stated that it could. Mr. Howard motioned to recommend to forward the case to City Council. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

**Foreclosure Case #004-2020
8231 US 42**

City of Florence vs. Phuc Pham

Officer Kleier presented the case as follows: Lot on the corner of Dilcrest and 42. Officer Kleier stated previously this was a vacant house with a detached garage. There were many violations with that property. Mr. Pham purchased the property. The owner was in contact with the city prior to the demolition of the property. Once the demo was completed, the owner fell out of contact with the city. The work ceased and the city began issuing citations in May. Currently on the 11th citation; 3rd citation for high weeds and grass. There is a fence with a gate on the property and work equipment/trucks on unpaved surface. All not in compliance. Citations accruing and with the property being in disrepair, Officer Kleier recommend that the case be sent to City Council for Foreclosure Action. Mr. Rowland motioned to recommend to forward the case to City Council. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

PARKING CASES: (24) PAID (9)

Case #	2020-63-TJ	City of Florence vs	Brandon Taylor	6761 Parkland Pl	Citation #	108
Case #	2020-64-LM	City of Florence vs	Donald J. Toebe	8615 Eden Ct.	Citation #	133- PD
Case #	2020-65-TM	City of Florence vs	Larry James Conway II	112 Lawrence Drive	Citation #	203
Case #	2020-66-TR	City of Florence vs	Carlos E Nunez-Perez	7523 Carol Lane	Citation #	403
Case #	2020-67-TR	City of Florence vs	Patricia Chipman	24 Vivian Drive	Citation #	404
Case #	2020-68-CB	City of Florence vs	Kiere I Bell	34 Miriam	Citation #	548
Case #	2020-69-AM	City of Florence vs	Donald Collins	Hollywood & Anchor	Citation #	1965
Case #	2020-70-PC	City of Florence vs	Christopher Katlin	Skate Park	Citation #	2563- PD
Case #	2020-71-PC	City of Florence vs	Marian Allen	St. Elizabeth	Citation #	2567- PD
Case #	2020-72-PC	City of Florence vs	Tracy Sebastian	Skate Park	Citation #	2570
Case #	2020-73-PC	City of Florence vs	Donald or Ryan Arlinghaus	3264 Fontaine	Citation #	2571
Case #	2020-74-PC	City of Florence vs	Joshua Lemus/ Jesse Espinoza	Fair Court	Citation #	2572
Case #	2020-75-PC	City of Florence vs	Hannah Denix	Fair Court	Citation #	2573
Case #	2020-76-PC	City of Florence vs	Katrina Westfall/ Devyn Ward	Fair Court	Citation #	2574
Case #	2020-77-AM	City of Florence vs	Ann Beach	Meadow/Orchard	Citation #	2651-PD
Case #	2020-78-CB	City of Florence vs	Steven Holt	122 Valley Drive	Citation #	2751- PD
Case #	2020-79-CB	City of Florence vs	David J. Keyser	8648 Eden Ct.	Citation #	2753- PD
Case #	2020-80-KG	City of Florence vs	June Hollar	Orchard	Citation #	2857
Case #	2020-81-KG	City of Florence vs	Mario Suggs	Orchard	Citation #	2858
Case #	2020-82-KG	City of Florence vs	Jessica Collins	Orchard	Citation #	2859
Case #	2020-83-KG	City of Florence vs	Kiere I Bell	34 Miriam	Citation #	2860
Case #	2020-84-KG	City of Florence vs	Caitlyn McNeely	203 Orchard	Citation #	2861-PD
Case #	2020-85-JW	City of Florence vs	Robert Burkhardt	6022 Belair Dr.	Citation #	3026-PD
Case #	2020-86-JC	City of Florence vs	Joshua Hampton	12 Shenandoah Drive	Citation #	3052- PD

No one appeared to contest the stated parking violations. Mr. Rowland motioned to uphold all parking violations. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

ANIMAL CONTROL CASES: (0) None

OCCUPATIONAL LICENSE CASES (0) None

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FIRE PREVENTION CASES: (0) None

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (79) Paid (11)

Case #	2020-261-PM	City of Florence vs	Brian Wardrup	2736 Chateau Court	Citation #	BD-2020-100
Case #	2020-262-PM	City of Florence vs	Bayer Florence LLC	8125 Mall Road	Citation #	BD-2020-101-PD
Case #	2020-263-PM	City of Florence vs	Green & Associates	7705 US Route 42	Citation #	BD-2020-102
Case #	2020-264-ZG	City of Florence vs	Kelly & Michelle Biddle	221 Roberta Avenue	Citation #	BD-2020-103
Case #	2020-264-ZG	City of Florence vs	Henri Condes	8461 Village Drive	Citation #	BD-2020-104- PD
Case #	2020-266-ZG	City of Florence vs	Ernest Smith	10 Vivian Drive	Citation #	BD-2020-105
Case #	2020-267-PM	City of Florence vs	Islamic Center of Northern KY	8020 Action Boulevard	Citation #	BD-2020-106- PD
Case #	2020-268-PM	City of Florence vs	Emily Larison	50 Kelley Drive	Citation #	BD-2020-107
Case #	2020-269-PM	City of Florence vs	Christina Griffith	8400-8414 US 42	Citation #	BD-2020-108
Case #	2020-270-ZG	City of Florence vs	Sandra Ante	8567 Winthrop Circle	Citation #	BD-2020-109
Case #	2020-271-ZG	City of Florence vs	David Berning	2668 Ridgecrest Drive	Citation #	BD-2020-110-PD
Case #	2020-280-ZG	City of Florence vs	Kelly & Michelle Biddle	221 Roberta Ave	Citation #	BD-2020-111
Case #	2020-281-PM	City of Florence vs	Islamic Center of NKY	8020 Action Blvd	Citation #	BD-2020-112
Case #	2020-282-PM	City of Florence vs	Bayer Florence LLC	8125 Mall Road	Citation #	BD-2020-113
Case #	2020-283-PM	City of Florence vs	Southgate Fed Savings & Loan	7700 Mall Road	Citation #	BD-2020-114- PD
Case #	2020-284-ZG	City of Florence vs	Christina Griffith	8400-8414 US Route 42	Citation #	BD-2020-115
Case #	2020-285-PM	City of Florence vs	Hau Tou	2739 Chateau Court	Citation #	BD-2020-116- PD
Case #	2020-286-PM	City of Florence vs	Leslie Hess	7256 Hopeful Road	Citation #	BD-2020-117- PD
Case #	2020-287-PM	City of Florence vs	Brian Wardrup	2736 Chateau Court	Citation #	BD-2020-118
Case #	2020-288-PM	City of Florence vs	Braehler Properties, LLC	8605 Haines Drive	Citation #	BD-2020-119
Case #	2020-289-ZG	City of Florence vs	Sandra Ante	8567 Winthrop Circle	Citation #	BD-2020-120
Case #	2020-290-ZG	City of Florence vs	ARCP MT FLORENCE KY LLC	1336 Hansel Ave.	Citation #	BD-2020-121
Case #	2020-291-PM	City of Florence vs	Randal Miller	106 Hillside Drive	Citation #	BD-2020-122
Case #	2020-292-NU	City of Florence vs	Intermedia Partners of KY	8500 Old Toll Road	Citation #	BD-2020-123- PD
Case #	2020-293-PM/ZG	City of Florence vs	Rolf Hellinger	8785 Skyview Drive	Citation #	BD-2020-124- PD
Case #	2020-294-NU	City of Florence vs	Matthew Compo	84 Allison Avenue	Citation #	BD-2020-125
Case #	2020-295-PM	City of Florence vs	Reyton Sussex LLC	7505 Sussex Drive	Citation #	BD-2020-126
Case #	2020-296-PM	City of Florence vs	Nathaniel Richter	8564 Evergreen Drive	Citation #	BD-2020-127
Case #	2020-297-ZG	City of Florence vs	Christina Griffith	8400-8414 US 42	Citation #	BD-2020-128
Case #	2020-298-NU	City of Florence vs	7503 Woodspoint LLC	7503 Woodspoint Dr.	Citation #	BD-2020-129
Case #	2020-299-PM	City of Florence vs	Kevin Willenborg	2 Valley Drive	Citation #	MM-2020-303
Case #	2020-300-ZG	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-304
Case #	2020-301-PM	City of Florence vs	David Smith	103 Fair Court	Citation #	MM-2020-305
Case #	2020-302-PM	City of Florence vs	TI KC Bravo LLC	7774 Ravenswood Drive	Citation #	MM-2020-306
Case #	2020-303-PM	City of Florence vs	Burger King #1851- RE Prop. Tax	7958 US 42	Citation #	MM-2020-307
Case #	2020-304-PM	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-308
Case #	2020-305-PM/ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-309
Case #	2020-306-ZG	City of Florence vs	James Wolfe	6106 Spicewood Ave	Citation #	MM-2020-310
Case #	2020-307-PM	City of Florence vs	David Smith	103 Fair Court	Citation #	MM-2020-311- PD
Case #	2020-308-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-312
Case #	2020-309-ZG	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-313
Case #	2020-310-PM	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-314
Case #	2020-311-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-315
Case #	2020-312-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-36 US 42	Citation #	MM-2020-316
Case #	2020-313-PM	City of Florence vs	Kevin Willenborg	2 Valley Drive	Citation #	MM-2020-317
Case #	2020-314PM/ZG	City of Florence vs	Griffith Holding LLC	225 Main Street	Citation #	MM-2020-318
Case #	2020-315-PM	City of Florence vs	CVH Florence II LLC	7590 Woodspoint Drive	Citation #	MM-2020-319
Case #	2020-316-PM/ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-320
Case #	2020-317-PM/ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-321

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Case #	2020-318-PM	City of Florence vs	Steak n Shake Operations Inc.	4941 Houston Road	Citation #	MM-2020-322- PD
Case #	2020-319-ZG	City of Florence vs	Realty Income Properties 24	430 Meijer Drive	Citation #	MM-2020-323
Case #	2020-320-PM	City of Florence vs	Justin Cooper	6823 Dixie Highway	Citation #	MM-2020-324
Case #	2020-321-PM	City of Florence vs	Kevin Willenborg	2 Valley Drive	Citation #	MM-2020-325
Case #	2020-322-PM	City of Florence vs	David Smith	103 Fair Court	Citation #	MM-2020-326
Case #	2020-323-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-327
Case #	2020-324-ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-328
Case #	2020-325-PM	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-329
Case #	2020-326-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-330
Case #	2020-327-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-331
Case #	2020-328-PM/ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-332
Case #	2020-329-ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-333
Case #	2020-330-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-334
Case #	2020-331-PM	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-335
Case #	2020-332-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-336
Case #	2020-333-ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-337
Case #	2020-334-PM	City of Florence vs	Steak n Shake Operations Inc.	4941 Houston Road	Citation #	MM-2020-338
Case #	2020-335-ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-339
Case #	2020-336-PM/ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-340
Case #	2020-337-PM/ZG	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-341
Case #	2020-338-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-342
Case #	2020-339-PM	City of Florence vs	CVH Florence II LLC	7590 Woodspoint Drive	Citation #	MM-2020-343
Case #	2020-340-ZG	City of Florence vs	Florence Promenade LLC	8511 US 42	Citation #	MM-2020-344
Case #	2020-341-PM/ZG	City of Florence vs	Dutch Properties Inc.	7410-7415 Eagle Creek Ct.	Citation #	MM-2020-345
Case #	2020-342-ZG	City of Florence vs	CHCT Kentucky	47 Cavalier Blvd	Citation #	MM-2020-346
Case #	2020-343-ZG	City of Florence vs	CHCT Kentucky	51 Cavalier Blvd	Citation #	MM-2020-347
Case #	2020-344- ZG	City of Florence vs	Northern KY Industrial Park	8029 Dixie Highway	Citation #	JK-2020-7
Case #	2020-345-ZG/NU	City of Florence vs	Sunrise North KY Inc.	8075 Steilen Drive	Citation #	JK-2020-8
Case #	2020-346-ZG/NU	City of Florence vs	Sunrise North KY Inc.	8075 Steilen Drive	Citation #	JK-2020-9
Case #	2020-347-ZG/NU	City of Florence vs	Sunrise North KY Inc.	8075 Steilen Drive	Citation #	JK-2020-10

CONTINUED CASE (4):

Continued Case #2020-49-PM
8456 Village Drive
Represented by Debra Garijo-Gillon

City of Florence vs. Richard Gillon
Citation # BD-2020-25

Officer DeCarlo presented the case as follows: Officer DeCarlo stated the property remains not in compliance.

Debra Gillon appeared and stated her husband operates a truck throughout the week they have difficulty being home at the same time creating an issue to complete repairs. Ms. Gillon has contacted someone to complete the repairs.

Chairman Johnson asked Officer DeCarlo if there are other issues with the property that have not been cited yet. Officer DeCarlo confirmed that there are issues with the soffits, but those issues are not included with the current citation.

Ms. Gillon requested the case be continued to tax season to allow time and money to repair the issues. Chairman Johnson explained they normally do not allow that much time. Mr. Sharp motioned to continue to the November 4, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

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Continued Case #2020-29-PM
6420 Dixie Highway
Represented by George Hiropolous

City of Florence vs. Pong Heilian
Multiple Citations

Officer Macaluso presented the case as follows: Officer Macaluso stated that he has been working with Mr. Hiropolous' daughter, Maria. Mr. Hiropolous has fallen ill and is not doing well. All of the major issues have been corrected and they have shown good faith by making all of the major repairs. Officer Macaluso requested that the board dismiss the citations and he would continue to work with Mr. Hiropolous and his daughter to ensure all violations are corrected. Mr. Rowland motioned to dismiss the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case #2020-234-PM
320 Center Street

City of Florence vs. Jenny Rice
Multiple citations

Officer Macaluso presented the case as follows: Officer Macaluso stated Ms. Rice had trash and debris, specifically tires stacked up in the rear of her property. She was going to have her son remove the tires. Tires have been removed, but the pallet remains. As of right now, the pallet needs to be removed to be completely in compliance.

Jenny Rice appeared and stated that the pallet is quite large which is why she has not been able to remove, however, she will remove it. She inquired about the wood stack in her yard. Officer Macaluso explained the wood was fine, since it was stacked up neatly. Officer Macaluso requested the board to dismiss the citations and he would work with her on getting the pallet removed. Mr. Howard motioned to dismiss the citations. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Continued Case #2019-95-PM/ZG
7912 Dream Street
Represented by Attorney, David Steele & Joe Massa

City of Florence vs. Arc Café USA
Multiple Citations

Officer Macaluso presented the case as follows: Since the last hearing, they were able to have the building painted, but there are still some holes in the parking lot.

Attorney Steele appeared on behalf of Arc Café USA and stated that the parking lot still has some holes, it is scheduled to be repaired on 10/14/20. Attorney Steele stated that the air cylinder is being put on the inside of the building today and requested that the case be continued to the next meeting.

Mr. Johnson asked Mr. Nienaber if the Board could pass a motion stating that the citations will be dismissed once the work is done. Mr. Nienaber stated that the board could pass a motion that the fines are waived if Officer Macaluso states at the next meeting that the property is in compliance and if the property is not in compliance, the case is reinstated. Mr. Sharp made a motion to dismiss the case upon Officer Macaluso inspection and confirmation that the property was in compliance. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:

Attorney Thomas Nienaber provided an update on two pending cases. The first is Steven Foltz at 10 Valley Drive. This came before City Council in September and a hearing was conducted. Mr. Foltz attended with his significant other. After deliberation, City Council voted to initiate a foreclosure action. City Council adopted a Municipal Order and determined the fees of approximately \$32,000.00 were owed. The city has filed a lawsuit against Mr. Foltz in the foreclosure action and the case is currently pending.

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Service has been achieved on the two mortgage companies, but have not received service of Mr. Foltz. He does not live at the property and his significant other testified at the hearing, they would not live in that property. Attempting to obtain service on Mr. Foltz by a special process agent.

After the city council hearing, Mr. Foltz's significant other left a message with the City Clerk. Mr. Nienaber received her contact information and called her twice and left messages. She never returned the call. Yesterday, Mr. Nienaber received a call from Mr. Foltz. Mr. Foltz let Mr. Nienaber know that he does not agree with the Code Enforcement Board or with the Florence City Council. Mr. Foltz stated he spoke with an attorney. Mr. Foltz refused to provide their information.

With regard to the Evergreen property, the city was contacted by their council. Mr. Nienaber sent correspondence providing a list of items needed to be corrected. The City has been working with Evergreen to get the issues corrected.

Mr. Nienaber has been provided photographs by Evergreen's attorney, Sara Cameron. The property has been paved, container for trash fixed, sidewalk repaired, and light poles replaced/removed. Maddox Landscaping will provide landscaping requirements when the weather is more favorable. During this time, litigation has been placed on hold.

ADJOURNMENT:


Chairman Johnson reminded the Board the next meeting will be held on November 4, 2020.

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Sharp so moved, with a second from Board Member Rowland. **Motion passed with unanimous approval of the Board**, the time being 11:17 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

