



**CODE ENFORCEMENT BOARD  
MINUTES: WEDNESDAY, NOVEMBER 4, 2020**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, November 4, 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: Hugh O. Skees, Attorney; Brandi Roundtree, Assistant City Clerk; Mike Macaluso, Code Enforcement Officer; Brian DeCarlo, Code Enforcement Officer; David Rose, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Randy Childress, Fire Marshall; Kevin Duncan, Police Officer. In the audience: Steven Young, contesting; James Claxton, contesting; Charles Ritter, continued case; Debra Garijo-Gillon, continued case; and Bob Hahn, continued case.

**APPROVAL OF MINUTES:**

Chairman Johnson called for a motion to approve the minutes of the October 7, 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 (2):**

**Contested Case #2020-354-PM  
67 Stonegate Drive**

**City of Florence vs. Steven Young  
Multiple Citations**

Officer DeCarlo presented the case as follows: Mr. Kleier began citing Mr. Young for violations in April of 2018. Mr. Young indicated he had been doing several improvements in order to sell the property, including eaves and gutters on the detached garage. 1/11/19, Officer DeCarlo observed the eaves and soffits on the detached garage were in need of paint, sent letter. 1/24/19 Officer DeCarlo received voicemail from Mr. Young; 1/28 returned call unable to leave message. 2/11/19 Officer DeCarlo received another voicemail from Mr. Young stating surgery and bad weather halted work until March. Officer DeCarlo gave Mr. Young until the end of March to get work completed. 4/3/19 new siding and paint on the house, no change to garage. 6/13/19 Officer DeCarlo spoke to Mr. Young on site, Mr. Young stated he was having new siding, roof, new driveway and steps installed, then work on the garage would begin. 7/16/19 work ongoing and some progress; 8/19/19 1<sup>st</sup> citation issued for siding missing and holes in eaves and soffits on detached garage; 9/19/19- no change; 11/19/19 siding on house fixed, no change to garage. 3/19/20 Mr. Kleier also observed the detached garage unresolved, on hold at that time due to COVID-19. 6/23/2020 sent notice after enforcement began for trim missing, holes in eaves and soffits on the detached garage. 8/3/20, 2<sup>nd</sup> notice sent for same violations; 9/9/20, trim missing and no change to the garage; 2<sup>nd</sup> citation issued on 10/13/20; 11/4/20 inspection completed, siding missing and soffits and eaves still not in compliance.

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Steven Young appeared and stated he built the detached garage himself, and a year later it caught fire. The insurance company did not insure the garage because it was not attached to the house; therefore, he had to replace the garage at his own cost. It is almost complete with the exception of the eaves, soffits, and gutter boards. In the meantime they had storm damage to the house which required new siding and new roof. Repairs on the garage had to be halted in favor of the house repairs due to water damage occurring in the house. The materials for the detached garage were ordered on 9/3/20 from ABC Roofing Supply. Mr. Young received a delivery date of 11/13/20 for the materials needed to repair the garage. Mr. Young stated that all repairs would be completed within a week of receiving materials.

Mr. Sharp inquired about citations from April of 2018 regarding the fence around the pool. Officer DeCarlo stated that those citations were closed out by Mr. Kleier. However, Officer DeCarlo stated that a new notice was sent out for the pool fence on 11/2/20. Mr. Young stated that he has ordered the materials to fix the pool fence also.

Mr. Howard motioned to continue the case until the December 2, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

**Contested Case #2020-146-NU**  
**7920 Dream Street**  
**Contested by James Claxton**

**City of Florence vs. Claxton Properties**  
**Citation # BD-2020-67**

Officer DeCarlo presented the case as follows: Sent first notice for high grass and weeds on 4/20/20; 4/27/20 no change, 1<sup>st</sup> citation issued. Mr. Claxton called Mr. DeCarlo the same day stating that his landscaper was recovering from COVID-19 and that he was trying to find someone else to fix the issues. Officer DeCarlo informed Mr. Claxton that as long as the issue was fixed by the next inspection, Officer DeCarlo would ask the board to dismiss the citation. Officer DeCarlo completed 2 more inspections over the next month before the citation was corrected.

James Claxton appeared on behalf of Claxton Properties and stated that the reason it took so long to get the grass taken care of was due to COVID-19 and he requested that the board dismiss his fines.

Mr. Howard motioned to dismiss the citation. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

**PARKING CASES: (6) PAID (2)**

Case #	2020-87-DL	City of Florence vs	Connie Sadler	7664 Catawba Ln.	Citation #	180- PD
Case #	2020-88-CB	City of Florence vs	Rodney Phelps	8443 Summer Place	Citation #	2755
Case #	2020-89-KG	City of Florence vs	Berry Smith	6111 Spicewood	Citation #	2863- PD
Case #	2020-90-JW	City of Florence vs	Victoria Moore	7740 Walnut Creek	Citation #	3027
Case #	2020-91-JK	City of Florence vs	unknown owner	7664 Catawba Ln.	Citation #	3090
Case #	2020-92-MF	City of Florence vs	Paul L. Rose	26 Goodridge Dr.	Citation #	2778

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

**ANIMAL CONTROL CASES: (0) None**

**OCCUPATIONAL LICENSE CASES: (1) PAID (0)**

Case #	2020-134-OC	City of Florence vs	BBJMG Properties LLC	7435 Industrial Road	Citation #	MM-2020-396
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**FIRE PREVENTION CASES: (0) None**

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**CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (69) Paid (3)**

Case #	2020-348-ZG	City of Florence vs	Charles Jones	14 Miriam Drive	Citation #	BD-2020-130
Case #	2020-349-PM	City of Florence vs	Reyton Sussex LLC	7507 Sussex Drive	Citation #	BD-2020-131
Case #	2020-350-ZG	City of Florence vs	Sandra Ante	8567 Winthrop Circle	Citation #	BD-2020-132
Case #	2020-351-ZG	City of Florence vs	Mark Shackelford	66 Utz Drive	Citation #	BD-2020-133
Case #	2020-352-PM	City of Florence vs	Brian Wardrup	2736 Chateau Court	Citation #	BD-2020-134
Case #	2020-353-PM/ZG	City of Florence vs	Willard & Shirley McClintock	10 Kennedy Court	Citation #	BD-2020-135
Case #	2020-354-PM	City of Florence vs	Steven & Rose Young	67 Stonegate Drive	Citation #	BD-2020-137
Case #	2020-355-PM	City of Florence vs	Nathaniel Richter	8564 Evergreen Drive	Citation #	BD-2020-138
Case #	2020-356-PM/NU	City of Florence vs	Joseph Kang	8 Airview Drive	Citation #	BD-2020-139
Case #	2020-357-ZG	City of Florence vs	Sandra Ante	8567 Winthrop Circle	Citation #	BD-2020-140
Case #	2020-358-PM	City of Florence vs	National Retail Property LP	781 Heights Blvd	Citation #	BD-2020-141
Case #	2020-359-PM/ZG	City of Florence vs	Travis Dehner	6571 Louise Ct.	Citation #	MM-2020-348
Case #	2020-360-PM/ZG	City of Florence vs	Griffith Holding LLC	225 Main Street	Citation #	MM-2020-349
Case #	2020-361-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-350
Case #	2020-362-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-351
Case #	2020-363-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7959 Dixie Highway	Citation #	MM-2020-352
Case #	2020-364-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7937 Dixie Highway	Citation #	MM-2020-353
Case #	2020-365-PM/ZG	City of Florence vs	Griffith Holding LLC	7718-7736 US 42	Citation #	MM-2020-354
Case #	2020-366-ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-355
Case #	2020-367-PM	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-356
Case #	2020-368-PM	City of Florence vs	Intergroup Pine Lake, Inc.	102-108 Pinehurst Drive	Citation #	MM-2020-357
Case #	2020-369-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	110-118 Pinehurst Drive	Citation #	MM-2020-358
Case #	2020-370-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	122-126 Pinehurst Drive	Citation #	MM-2020-359
Case #	<b>2020-371-PM</b>	<b>City of Florence vs</b>	<b>National Retail Property LP</b>	<b>7908 Dream Street</b>	<b>Citation #</b>	<b>MM-2020-360- PD</b>
Case #	2020-372-PM	City of Florence vs	WEC 99J-31 LLC (CVS Pharmacy)	6801 Dixie Highway	Citation #	MM-2020-361
Case #	2020-373-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	101-109 Pinehurst Drive	Citation #	MM-2020-362
Case #	2020-374-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	113-117 Pinehurst Drive	Citation #	MM-2020-363
Case #	2020-375-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	121-125 Pinehurst Drive	Citation #	MM-2020-364
Case #	2020-376-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7141 Spruce Drive	Citation #	MM-2020-365
Case #	2020-377-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7153 Spruce Drive	Citation #	MM-2020-366
Case #	2020-378-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7959 Dixie Highway	Citation #	MM-2020-367
Case #	2020-379-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7937 Dixie Highway	Citation #	MM-2020-368
Case #	2020-380-PM	City of Florence vs	Intergroup Pine Lake, Inc.	102-108 Pinehurst Drive	Citation #	MM-2020-369
Case #	2020-381-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	110-118 Pinehurst Drive	Citation #	MM-2020-370
Case #	2020-382-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	122-126 Pinehurst Drive	Citation #	MM-2020-371
Case #	2020-383-PM/ZG	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-372
Case #	2020-384-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-373
Case #	2020-385-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	101-109 Pinehurst Drive	Citation #	MM-2020-374
Case #	2020-386-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	113-117 Pinehurst Drive	Citation #	MM-2020-375
Case #	2020-387-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	121-125 Pinehurst Drive	Citation #	MM-2020-376
Case #	2020-388-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7153 Spruce Drive	Citation #	MM-2020-377
Case #	2020-389-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7141 Spruce Drive	Citation #	MM-2020-378
Case #	2020-390-PM/ZG	City of Florence vs	Burger King #1851	7958 US 42	Citation #	MM-2020-379
Case #	2020-391-PM	City of Florence vs	Burger King #1851	7958 US 42	Citation #	MM-2020-380
Case #	2020-392-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7937 Dixie Highway	Citation #	MM-2020-381
Case #	2020-393-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	7959 Dixie Highway	Citation #	MM-2020-382
Case #	2020-394-ZG	City of Florence vs	Paula Baker	20 Lee Street	Citation #	MM-2020-383
Case #	2020-395-ZG	City of Florence vs	Realty Income Properties 24 LLC	430 Meijer Drive	Citation #	MM-2020-384
Case #	2020-396-ZG	City of Florence vs	Realty Income Properties 24 LLC	430 Meijer Drive	Citation #	MM-2020-385
Case #	2020-397-ZG	City of Florence vs	Florence DG LLC	7641 Dixie Highway	Citation #	MM-2020-386
Case #	2020-398-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	102-108 Pinehurst Drive	Citation #	MM-2020-387
Case #	2020-399-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	110-118 Pinehurst Drive	Citation #	MM-2020-388



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Case #	2020-400-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	122-126 Pinehurst Drive	Citation #	MM-2020-389
Case #	2020-401-PM/ZG	City of Florence vs	Travis Dehner	6571 Louise Ct.	Citation #	MM-2020-390
Case #	<b>2020-402-PM/ZG</b>	<b>City of Florence vs</b>	<b>Dutch Properties Inc.</b>	<b>7410-7415 Eagle Creek Court</b>	<b>Citation #</b>	<b>MM-2020-391- PD</b>
Case #	2020-403-PM	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-392
Case #	2020-404-PM/ZG	City of Florence vs	Pham Phuc	8231 US 42	Citation #	MM-2020-393
Case #	2020-405-PM/ZG	City of Florence vs	Griffith Holding LLC	225 Main Street	Citation #	MM-2020-394
Case #	2020-406-PM	City of Florence vs	Kevin Willenborg	2 Valley Drive	Citation #	MM-2020-395
Case #	2020-407-ZG	City of Florence vs	BBMJG Properties LLC	7435 Industrial Rd.	Citation #	MM-2020-397
Case #	2020-408-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	101-109 Pinehurst Drive	Citation #	MM-2020-398
Case #	2020-409-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	113-117 Pinehurst Drive	Citation #	MM-2020-399
Case #	2020-410-PM/ZG	City of Florence vs	Intergroup Pine Lake, Inc.	121-125 Pinehurst Drive	Citation #	MM-2020-400
Case #	2020-411-PM/ZG	City of Florence vs	Burger King #1851	7958 US 42	Citation #	MM-2020-401
Case #	2020-412-PM	City of Florence vs	Reyton Sussex LLC	7505 Sussex Drive	Citation #	MM-2020-402
Case #	2020-413-PM/ZG	City of Florence vs	Reyton Sussex LLC	7505 Sussex Drive	Citation #	MM-2020-403
Case #	2020-414-PM/ZG	City of Florence vs	Dutch Properties Inc.	7410-7415 Eagle Creek Court	Citation #	MM-2020-404
Case #	<b>2020-415-ZG</b>	<b>City of Florence vs</b>	<b>Sunrise North KY Inc.</b>	<b>8075 Steilen Drive</b>	<b>Citation #</b>	<b>JK-2020-11 PD</b>
Case #	2020-416-ZG	City of Florence vs	Sunrise North KY Inc.	8075 Steilen Drive	Citation #	JK-2020-12

**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. Officer DeCarlo stated that he received a voicemail before the hearing from Mrs. Gillon that she was at Menards trying to get the materials needed to fix the downspout.

Debra Gillon appeared and stated that she does not have the financial ability or skill to correct the downspout issue. Ms. Gillon requested the case be continued to tax season to allow time to obtain the money to repair the issues. Mr. Rowland motioned to continue to the January 6, 2021 hearing. Mr. Sharp 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: Office Macaluso confirmed that the property is now in compliance. Mr. Rowland made a motion to dismiss the case. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

**Continued Case #2020-229-PM**  
**23 Dortha Ave**  
**Represented by Bob Hahn**

**City of Florence vs. ETH Properties**  
**Multiple Citations**

Officer Macaluso presented the case as follows: Officer Macaluso stated that the property is now in compliance.

Bob Hahn appeared on behalf of ETH Properties and stated that this property was owned by his father who passed away 3/31/20. Eviction was filed on the tenants in January of 2020; went to court on 3/3/2020. Tenants did not vacate the property at that time. Mr. Hahn had difficulty evicting the tenants out of the property due to COVID-19. Mr. Hahn stated that the tenants are now gone and the property is in compliance. Mr. Hahn requested that the board dismiss his fines.

Mr. Sharp made a motion to dismiss the case. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

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

City of Florence vs. Charles & Rachel Ritter  
Multiple Citations

Officer Macaluso presented the case as follows: Officer Macaluso stated that the property is now in compliance.

Charles Ritter appeared and stated that he has health issues that prevent him from completing physical activities but he was able to get the issues resolved. Mr. Ritter requested dismissal or reduction of the fines.

Mr. Howard motioned to dismiss the citation but uphold the \$46.00 city expense. Mr. Sharp followed with a second.  
**Motion carried by unanimous vote.**

**ATTORNEY'S REPORT:**

Mr. Skees reported the City received a letter from Pinewood Lake Apartment's attorney requesting to contest all citations issued. Mr. Skees is unable to prosecute this case against the board; therefore, the city has hired Olivia Amlung to represent the city. Pinewood Lake Apartment's attorney is requesting two days of hearings. Mr. Skees asked the board members, and all other parties, if they would be available on December 2, 2020 and December 3, 2020 for this hearing.

All Board Members present advised they would be available. Mr. Skees requested Assistant City Clerk, Brandi Roundtree, to call Board Member Spille to ensure he will be available

Board Member Sharp inquired as to how many citations have been issued. Officer Macaluso stated that there are a total of 65 violations and that does not include any fire code violations from the Fire Marshal. Officer Macaluso further stated that they are not in compliance. Mr. Skees stated that even if they are not in compliance, they still have the right to contest the citations. Prior to COVID-19, meetings were held with the attorney for Pinewood Lake Apartments and some issues were resolved; however, the majority of the violations remain.

Board Member Howard inquired about the property located 7718-7736 US 42, which was recommended for foreclosure at the last meeting. Mr. Skees stated it has not yet went before City Council.

Board Member Howard also inquired about the property located at 8231 US 42 that was recommended for foreclosure. Officer Macaluso stated that the owner is currently working with the administration department to have the issues resolved.

**ADJOURNMENT:**

Chairman Johnson reminded the Board the next meeting will be held on December 2, 2020.

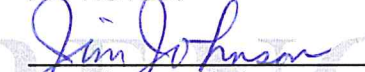
There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Sharp so moved, with a second from Board Member Howard. **Motion passed with unanimous approval of the Board**, the time being 10:43 a.m.

CITY OF


FLORENCE

KENTUCKY®

APPROVED:

  
\_\_\_\_\_  
Jim Johnson, Chairman

ATTEST:

  
\_\_\_\_\_  
Melissa Kramer, Secretary