



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, JULY 1, 2020**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, July 1, 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 five (5) Board members: Lance Howard, Rick Rowland, Bill Sharp, David Spille, and Jim Johnson.

Also present: Hugh O. Skees, Attorney; Melissa Kramer, City Clerk; Mike Macaluso, Code Enforcement Officer; Brian DeCarlo, Code Enforcement Officer; Randy Childress, Fire Marshall; Kevin Duncan, Police Officer. In the audience: Naila Safi, contesting; and George Hiropolous, contesting.

REAPPOINTMENT OF BOARD MEMBER:

Board Member Bill Sharp was sworn in for a new term by City Attorney Hugh Skees.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the June 17, 2020 special meeting of the Code Enforcement Board. Board Member Howard motioned to accept the minutes as read with a second from Board Member Rowland. Mr. Sharp and Mr. Spille were absent from the June 17, 2020 special meeting and abstained from the vote. The Board approved 3-0 with abstentions by Board Member Sharp and Board Member Spille.

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASE:

**Contested Case #2020-142-ZG
7122 Burlington Pike
Contested by Naila Safi**

**City of Florence vs. Walid & Naila Safi
Citation #BD-2020-63**

Officer DeCarlo presented the case as follows: Vacant lot across the street from Boone County High School at Garrard and Burlington Pike. On 4/15 observed high grass, sent letter; 4/24, issued 1st citation; 4/29 received a call from Mr. Safi and was notified the letter was incorrectly delivered to Mr. Safi's neighbor. The grass had been cut and was informed of the process to contest the citation; Reinspected the property and grass was cut; 7/1 property remains in compliance.

Naila Safi appeared and stated she did not receive the letter. Her neighbor received the letter and once the letter was received, the grass had already been cut. Ms. Safi requested the citation be reduced or dismissed. Mr. Spille motioned to dismiss the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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**Contested Case #2020-29-PM
6420 Dixie Highway
Contested by George Hiropolous**

**City of Florence vs. Pong Heilian
Multiple Citations**

Officer Macaluso presented the case as follows: On 9/19/19 observed the rear block wall in disrepair and the building paint was peeling, letter sent; Several inspections over the course of the next few months; On 1/16/2020 no change, issued 1st citation; 3/16 no change, issued 2nd citation. Since issuance of the 2nd citation, he has been in contact with a contractor for the property and repairs were to be completed. As of 6/30, no change to the property. \$400.00 in fines and no liens.

George Hiropolous appeared on behalf of the property owner, Pong Heilian. Mr. Hiropolous leases the property. Mr. Hiropolous stated he previously addressed the landscaping issues and since that time, has had health issues. His daughter is trying to maintain the property. He believes the back wall is the responsibility of his neighbor. With regard to the building, he has attempted to hire contractors and the contractors did not show up for the repairs. Two weeks ago, he was able to locate another contractor to complete the necessary repairs. Requesting additional time and believes he will be able to be in compliance by the August Meeting.

Board Member Spille questioned with regard to the retaining wall. Officer Macaluso stated the retaining wall on the front side is the responsibility of Mr. Hiropolous, the back side of the retaining wall is the neighbors. The retaining wall has flaking paint and the contractor will repair. Mr. Spille motioned to continue to the August hearing. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

RECOMMENDATION DISCUSSION AND ACTION:

**Foreclosure Case #002-2020
8535-8551 Evergreen Drive**

City of Florence vs. Evergreen Apartments Oracle LP

Officer DeCarlo presented the case as follows: Initiated for a post site plan review. Initially the owners were awarded temporary occupancy in August of last year. Sent a letter in October of 2019 and began citing on 2/14/2020 when the six months expired. Several issues with the property including the final layer of asphalt has not been installed. As a result, the lot is causing issues with the storm drain. When it rains, the rain drains to the basin and not into the grates. Also, grading issues including the walkway onto Weaver. The walkway was cut into hill and a sidewalk was placed. Owner claims dirt from the Weaver project caused the issue. The ramp does meet ADA standards, however, the grading is not set to code. Landscaping was to be installed on the three areas surrounding the property with the exception of the Evergreen side. No landscaping has been installed. The dumpster enclosure was not installed as agreed upon. Light poles should have been installed on the other side of the sidewalk. However, were installed in the parking lot. Parking lot has no markings and is not complete. Mail kiosk was approved for inside of the building and was installed on the outside. Playground was agreed to be installed in between two of the buildings and instead was built by the clubhouse.

No contact with the owner. Following submission of the foreclosure paperwork, received an email two days later. Nothing has been done to the property since October. Currently, there are 18 citations, 4 paid, and fines in the amount of \$3,800.00.

No one appeared on behalf of Evergreen Apartments Oracle. Board Member Spille questioned with regard to the housing whether government or federal, and if plans were submitted to Boone County. Officer DeCarlo stated Boone County approved the plans. Unsure whether state inspected the property for approval. Fire Marshal Childress does not believe the state would have inspected.

Officer DeCarlo stated all notices were sent to the owner/builders and all mail has been returned. Officer DeCarlo inquired for a new mailing address when he did have contact with the owner. He was informed "they were working from home and did not have a mailing address". Officer DeCarlo requested the case be forwarded to city council. Mr. Spille motioned to forward the case to city council. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

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PARKING CASES: (11) PAID (3):

Case #	2020-42-TL	City of Florence vs	Melissa Sharon	17 Bustetter Drive	Citation #	4
Case #	2020-43-TL	City of Florence vs	Juan Carlos Legorreta-Lopez	11 Cardinal	Citation #	5
Case #	2020-44-TM	City of Florence vs	Joshua Pierce	210 Claxon Drive	Citation #	201
Case #	2020-45-TM	City of Florence vs	Funga Souza	7521 Carole Lane	Citation #	202- PD
Case #	2020-46-DZ	City of Florence vs	Jeffery Liggett	7503 Carole Lane	Citation #	280
Case #	2020-47-PC	City of Florence vs	Kevin Gray	Pinehurst	Citation #	2557
Case #	2020-48-PC	City of Florence vs	Anthony Ball	Clark Street	Citation #	2559
Case #	2020-49-PC	City of Florence vs	Darrell Newton	Walmart	Citation #	2562- PD
Case #	2020-50-PC	City of Florence vs	Christopher Katlin	Skate Park	Citation #	2563
Case #	2020-51-CM	City of Florence vs	Patrick Harking	8446 Pheasant Dr	Citation #	2703
Case #	2020-52-KG	City of Florence vs	William Brown	Larch Ct	Citation #	2856- PD

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 #	2020-133-OC	City of Florence vs	BBMJG Properties LLC	7435 Industrial Road	Citation #	MM-2020-285
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FIRE PREVENTION CASES: (0) None:

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (16) Paid (1):

Case #	2020-221-PM	City of Florence vs	Charles & Dorothy Roberts	203 Roberta Ave	Citation #	BD-2020-84
Case #	2020-222-NU	City of Florence vs	Burger King #1851	7958 US 42 Hwy	Citation #	BD-2020-85
Case #	2020-223-ZG	City of Florence vs	Evergreen Apartments Oracle LLC	8547 Evergreen Drive	Citation #	BD-2020-86
Case #	2020-224-NU	City of Florence vs	Nathan Bach	100 Meadow Creek Drive	Citation #	BD-2020-87
Case #	2020-225-NU	City of Florence vs	8025 Dream S B Inc.	8025 Dream Street	Citation #	BD-2020-88-PD
Case #	2020-226-ZG	City of Florence vs	Evergreen Apartments Oracle LLC	8547 Evergreen Drive	Citation #	BD-2020-89
Case #	2020-227-ZG	City of Florence vs	Evergreen Apartments Oracle LLC	8547 Evergreen Drive	Citation #	BD-2020-90
Case #	2020-228-PM	City of Florence vs	Pham Phuc Troung	8231 US 42 Hwy	Citation #	MM-2020-274
Case #	2020-229-PM	City of Florence vs	EHH Properties LLC	23 Dortha Ave	Citation #	MM-2020-275
Case #	2020-230-PM	City of Florence vs	Pham Phuc Troung	8231 US 42 Hwy	Citation #	MM-2020--277
Case #	2020-231-ZG/OC	City of Florence vs	Realty Income Properties 24 LLC	430 Meijer Drive	Citation #	MM-2020-278
Case #	2020-232-ZG	City of Florence vs	Bill & Faye Shehan	29 Shelby Street	Citation #	MM-2020-279
Case #	2020-233-PM	City of Florence vs	Justin Cooper	160 Roberta Ave	Citation #	MM-2020-280
Case #	2020-234-PM	City of Florence vs	Jenny Rice	320 Center Street	Citation #	MM-2020-282
Case #	2020-234-ZG	City of Florence vs	BBMJG Properties LLC	7435 Industrial Road	Citation #	MM-2020-286
Case #	2020-235-NU	City of Florence vs	Drinkard Realty LTD	7 Youell Street	Citation #	JK-2020-6

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CONTINUED CASE (1):

**Continued Case #2019-514-OC
7851 Tanners Lane
Represented by John Hrenya**

**City of Florence vs. J&L Furniture
Multiple Citations**

John Hrenya failed to appear on behalf of J&L Furniture. Officer Macaluso requested citations be upheld. Mr. Rowland moved to uphold the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:


Attorney Hugh Skees advised no new developments on any litigation to report.

ADJOURNMENT:

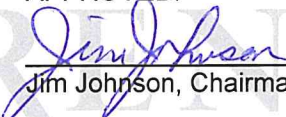
Chairman Johnson reminded the Board the next meeting will be held on August 5, 2020.

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Howard so moved, with a second from Board Member Spille. **Motion passed with unanimous approval of the Board**, the time being 10:21 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

