



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, AUGUST 5, 2020**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, August 5, 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; 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 Ransdall, Police Officer. In the audience: Jenny Rice, contesting; Joe Massa, continued case; David Steele, attorney for Joe Massa, continued case; Debra Garijo-Gillon, continued case; and George Hiropolous, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the July 1, 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 (5):

**Contested Case #2020-234-PM
320 Center Street
Contested by Jenny Rice**

**City of Florence vs. Jenny Rice
Multiple citations**

Officer Macaluso presented the case as follows: On 5/25 received an anonymous complaint about the property; inspect the property and observed a vehicle and trailer on the grass and trash and debris throughout the property. Notice of violation was sent. On 6/22, a second inspection was completed, vehicle and trailer were gone, issued first citation. On 7/2, property was re-inspected, no change, issued second citation. Same day, received a phone call from Ms. Jenny, discussed the citations, referred to Admin. An inspection was completed on 8/4 the trailers and cars are still gone. A trailer periodically shows up and leaves, her son works for a landscaping company. Tires are still being stored under the tree. She has paid the first citation in the amount of \$50.00, but the second citation in the amount of \$150.00 is still outstanding, no liens. Still not in compliance.

Jenny Rice appeared and stated that the tires are stored on a skid. Requested clarification between storing tires on a pallet and storing wood on a pallet. Mr. Johnson stated that wood for fireplaces is something different. Officer Macaluso stated that wood does not store water but the tires would store water. Having the tires there is considered trash and debris in the yard and he recommended putting them in the garage. Ms. Rice stated that her son does not live with her anymore which is why the trailer is seen from time to time. Ms. Rice requested dismissal of her citation fees. Board Member Spille stated that they are unable to dismiss the citations until she is in compliance. Mr. Spille motioned to continue the case to the September 2, 2020 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF August 5, 2020
Page 2

Contested Case #2019-349-PM
2134 Algiers Street
Contested by Amy Lambert

City of Florence vs. Amy & John Lambert
Citation # BD-2019-128

Officer DeCarlo presented the case as follows: Ms. Lambert called and stated that she is not comfortable attending the meeting because she has an infant and elderly parents that are high risk, and requested Officer DeCarlo speak on her behalf. Officer DeCarlo stated the property was cited in October of 2019 for loose shingles and trim missing. Ms. Lambert and her husband were in constant contact with Officer DeCarlo. Another letter was sent regarding the trim on 6/25. On 7/7 she called and informed Officer DeCarlo, repairs were complete. Currently in compliance. They have fines of \$100.00 and \$69.00 in lien fees. Mr. Rowland moved to dismiss the citation and uphold the city expense in the amount of \$69.00. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-242-ZG
8400 US 42
Contested by Christina Griffith

City of Florence vs. Christina Griffith
Multiple citations

Officer DeCarlo presented the case as follows: Officer DeCarlo requested all citations be upheld. Ms. Griffith did not attend. Ms. Griffith was cited for an unlicensed vehicle and was sent two notifications. Given six (6) weeks to correct the issue before a citation was issued. Outstanding violations remain with the pavement in disrepair. Mr. Rowland moved to uphold the citations. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2020-22-PM
7730 US 42
Contested by Christina Griffith

City of Florence vs. Griffith Holdings, LLC
Multiple citations

Contested Case #2020-242-ZG
225 Main Street
Contested by Christina Griffith

City of Florence vs. Griffith Holdings, LLC
Multiple citations

Officer Macaluso presented the cases as follows: Ms. Griffith failed to appear. Officer Macaluso stated that Ms. Griffith does not find what we do very important. Provides a hundred reasons why she cannot attend the hearing. Officer Macaluso requested that the citations for both properties be upheld. He is not going to speak on her behalf. Ms. Griffith called Mrs. Kramer an hour prior informing us that she doesn't feel comfortable attending. Officer Macaluso stated "It is not like it has been one offense, she has 22 citations on one property alone with approximately \$34,000.00 in fines all together."

Mr. Spille moved to uphold the citations on the property located at 7730 US 42. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Mr. Spille moved to uphold the citations on the property located at 225 Main Street. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD
 MINUTES OF August 5, 2020
 Page 3

PARKING CASES: (10) PAID (1):

| | | | | | | |
|--------|------------|---------------------|--------------------------|-------------------|------------|---------|
| Case # | 2020-53-LM | City of Florence vs | Beau Bricking | 937 Trellises Ave | Citation # | 132 |
| Case # | 2020-54-CB | City of Florence vs | Bradley Schnieders | 1155 Fairman Way | Citation # | 547 |
| Case # | 2020-55-EM | City of Florence vs | Latsha Boutwell | Adella Drive | Citation # | 1865 |
| Case # | 2020-56-SR | City of Florence vs | Betsy Edwards | Orchard Drive | Citation # | 2267 |
| Case # | 2020-57-SR | City of Florence vs | Brittany Stewart | Orchard Drive | Citation # | 2269 PD |
| Case # | 2020-58-PC | City of Florence vs | Joshua or Kelli McMullen | 2118 Algien | Citation # | 2566 |
| Case # | 2020-59-SM | City of Florence vs | Tony Brautigan | 8035 Action Blvd | Citation # | 2827 |
| Case # | 2020-60-SM | City of Florence vs | Carrie Jackson | 21 Dortha | Citation # | 2829 |
| Case # | 2020-61-SM | City of Florence vs | NR Logistic LLC | Bowman Way | Citation # | 2830 |
| Case # | 2020-62-SM | City of Florence vs | Latasha Boutwell | 8206 Adella | Citation # | 2831 |

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 (0) None:

FIRE PREVENTION CASES: (0) None:

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (25) Paid (5):

| | | | | | | |
|--------|----------------|---------------------|---------------------------------|-------------------------|------------|----------------|
| Case # | 2020-236-NU | City of Florence vs | ERPS LLC | 062.00-00-131.09 | Citation # | BD-2020-91 PD |
| Case # | 2020-237-NU | City of Florence vs | A&K Enterprise | 062.00-00-131.35 | Citation # | BD-2020-92 PD |
| Case # | 2020-238-NU | City of Florence vs | Skeets LLC | 062.00-00-131.02 | Citation # | BD-2020-93 PD |
| Case # | 2020-239-NU | City of Florence vs | A&K Enterprise | 8809 Portage Trail | Citation # | BD-2020-94 PD |
| Case # | 2020-240-ZG | City of Florence vs | Evergreen Apartments Oracle LP | 8547 Evergreen Drive | Citation # | BD-2020-96 |
| Case # | 2020-241-ZG | City of Florence vs | Henri Condes | 8461 Village Drive | Citation # | BD-2020-97 |
| Case # | 2020-242-ZG | City of Florence vs | Christina Griffith | 8400-8414 US Route 42 | Citation # | BD-2020-98 |
| Case # | 2020-243-ZG | City of Florence vs | Richard Scott | 107 Hillside Drive | Citation # | BD-2020-99 |
| Case # | 2020-244-ZG/OC | City of Florence vs | Realty Income Properties 24 LLC | 430 Meijer Drive | Citation # | MM-2020-283 |
| Case # | 2020-245-PM | City of Florence vs | Pham Phuc Trong | 8231 US 42 | Citation # | MM-2020-284 |
| Case # | 2020-246-PM | City of Florence vs | EEH Properties LLC | 23 Dortha Ave | Citation # | MM-2020-287 |
| Case # | 2020-247-PM/ZG | City of Florence vs | Burger King #1851 | 7958 US 42 | Citation # | MM-2020-288 |
| Case # | 2020-248-PM | City of Florence vs | Burger King #1851 | 7958 US 42 | Citation # | MM-2020-289 |
| Case # | 2020-249-PM | City of Florence vs | WEC 99J-31 LLC (CVS Pharmacy) | 6801 Dixie Highway | Citation # | MM-2020-290 PD |
| Case # | 2020-250-PM/ZG | City of Florence vs | Griffith Holding LLC | 225 Main Street | Citation # | MM-2020-291 |
| Case # | 2020-251-ZG/OC | City of Florence vs | Realty Income Properties 24 LLC | 430 Meijer Drive | Citation # | MM-2020-292 |
| Case # | 2020-252-PM | City of Florence vs | Pham Phuc Trong | 8231 US 42 | Citation # | MM-2020-293 |
| Case # | 2020-253-PM | City of Florence vs | Travis Dehner | 6571 Louise Ct. | Citation # | MM-2020-294 |
| Case # | 2020-254-PM | City of Florence vs | Jenny Rice | 320 Center Street | Citation # | MM-2020-295 |
| Case # | 2020-255-PM | City of Florence vs | Kevin Willenborg | 2 Valley Drive | Citation # | MM-2020-296 |
| Case # | 2020-256-PM | City of Florence vs | EEH Properties LLC | 23 Dortha Ave | Citation # | MM-2020-297 |
| Case # | 2020-257-PM/ZG | City of Florence vs | Griffith Holding LLC | 225 Main Street | Citation # | MM-2020-298 |
| Case # | 2020-258-PM/ZG | City of Florence vs | Harold & Betty Fortner | 7705 Walnut Creek Drive | Citation # | MM-2020-299 |
| Case # | 2020-259-PM | City of Florence vs | Kevin Willenborg | 2 Valley Drive | Citation # | MM-2020-300 |
| Case # | 2020-260-PM | City of Florence vs | Pham Phuc | 8231 US 42 | Citation # | MM-2020-301 |

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF August 5, 2020
Page 4

CONTINUED CASE (4):

Continued Case #2020-75-ZG
303 Merravay Drive
Represented by Judy Hartbarger

City of Florence vs. P. Grayson Properties, LLC
Citation #MM-2020-76

Officer Macaluso presented the case as follows: Previously continued case to allow Judy Hartbarger time to come into compliance. Mrs. Hartbarger stated the vehicles were not disabled, they had flat tires. Gave her 60 days due to her husband was to be released from jail. Mrs. Hartbarger called Mr. Kleier and requested continuation, her husband remained incarcerated. Mr. Kleier urged her to come today because we were not going to present the case on her behalf. Mrs. Hartbarger also contacted the City Clerk and an emailed was also sent to myself. Officer Macaluso stated he is requesting the Board to decide whether to provide a continuance or uphold the citation. Officer Macaluso felt 60 days was adequate and he is not willing to speak on her behalf. Mr. Spille moved to uphold the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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: Property remains not in compliance. He spoke with Mrs. Gillon on 8/4 and she has an update to provide for the Board.

Ms. Gillon stated her husband had not been working, but started a job two weeks ago. Financial situation is improving and they are requesting additional time. He operates a throughout the week and they only have the weekends to get things done. Mr. Johnson asked if they would be able to have the repairs completed by the September hearing. Mrs. Gillon believed that would be enough time. Mr. Spille motioned to continue to the September hearing. Mr. Howard 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: Inspected property on 8/4 and Captain D's has been painted. All the window trims and siding have been redone where the paint was missing. The only thing that is left are some areas in the parking lot with pot holes. Officer Macaluso asked Attorney Steele when that would be done. Attorney Steele stated that the company was scheduled to come at the end of the moth to completely redo the parking lot. Officer Macaluso requested that the board continue this case two more months. Mr. Spille motioned to continue to the October hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

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: Inspected the property on 8/4 and observed painting on Tuesday. 2/3 of the way done and should be done by the end of the week. Their side of the retaining wall is still in disrepair and appears like some work has been done.

George Hiropolous appeared on behalf of the property owner, Pong Heilian. Mr. Hiropolous stated that he has had health issues and was in the hospital for a couple of weeks. His daughter is trying to maintain the property and they are working on getting all of the repairs completed. Requesting additional time and believes he will be able to be in compliance by the September Meeting.

Mr. Spille motioned to continue to the September hearing and if the citations are corrected, the fines be dismissed so Mr. Hiropolous will not have to attend the September meeting. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

CITY OF FLORENCE CODE ENFORCEMENT BOARD
MINUTES OF August 5, 2020
Page 5

ATTORNEY'S REPORT:

Attorney Skees reported currently in the process of setting a hearing on the 10 Valley Drive property. Will keep everyone apprised of the hearing.

Regarding the Evergreen Apartments, progress has been made and the property owner has hired an attorney. Currently negotiating with their attorney.

ADJOURNMENT:

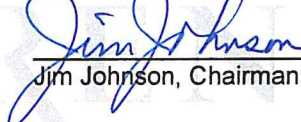
Chairman Johnson reminded the Board the next meeting will be held on September 2, 2020.

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 10:19 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman