



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, SEPTEMBER 4, 2019**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, September 4, 2019 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, Assistant City Clerk; Jeremy Kleier, Code Enforcement Administrator; Mike Macaluso, Code Enforcement Officer; Brian DeCarlo, Code Enforcement Officer; Shane Toning, Code Enforcement Officer; Kevin Vogelpohl, Fire Marshall; Craig Burris, Police Officer. In the audience: Ron Remley, contesting; Timothy Mullins, contesting; Brittney Burke, contesting.

APPROVAL OF MINUTES:

August 7, 2019

Chairman Johnson called for a motion to approve the minutes of the August 7, 2019 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 CASE:

**Contested Case #2019-285-PM
41 Meadow Wood Drive**

**City of Florence vs. Ron Remley
Citation #BD-2019-103**

Officer DeCarlo presented the cases as follows: 7/15 received a complaint regarding the backyard of the property; inspected the property on 7/16, observed high weeds/grass, overgrown landscaping on the fence lines and through the deck; part of a tree had fallen and was laying on the trampoline; 7/17 Sent letter; 7/29, no change, issued 1st citation; 8/5 Mr. Remley came to Government Center and requested to contest the citation; 8/6, Mr. Remley called and left a message, returned the call to Mr. Remley and attempted to leave a voicemail, however, voicemail was full; 8/7 met with Mr. Remley on site and discussed the issues which needed to be taken care of; 9/3 inspected property at approximately 3:00 p.m. and all issues remained.

Ron Remley testified he worked on the property on 9/3 from approximately 4:30 p.m. – 9:00 p.m. with friends. He works at night and was unable to work on the property during the day. The grass was cut, all weeds by side of deck were gone, and the ivy growing on the fence has always been there. The tree remained. Mr. Remley had photographs on his phone of the property. Photographs were reviewed by Officer DeCarlo. Mr. Remley was unaware the City had authority on his backyard and Chairman Johnson explained the code process. Mr. Remley testified the chain on his chainsaw came off and he will be working on cleaning up the tree. Upon completion, Mr. Remley will call Officer DeCarlo. Mr. Spille motioned to continue the case to next month to allow Mr. Remley additional time to come into compliance. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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Contested Case #2019-166-PM
54 Kelley Drive
Contested by Timothy Mullins

City of Florence vs. John L. Mullins Estate
Multiple Citations

Officer DeCarlo presented the case as follows: On 3/20 observed soffits containing a hole. Unable to send a letter until 4/17; 5/22, no change, issued 1st citation; 6/13, no change, issued 2nd citation; 7/16 observed soffits repaired; 9/3 still in compliance. Total citations fines are \$200.00.

Timothy Mullins testified the delay in repairing the soffits was due to a bird taking nest and he did not want to disrupt the birds. As soon as the birds left, he repaired the soffits. Mr. Mullins requested the fines be dismissed or reduced. Mr. Sharp motioned that the case be dismissed. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

Contested Case #2019-132-PM
9 Vivian Drive
Contested by Timothy Mullins

City of Florence vs. John Mullins
Multiple Citations

Officer DeCarlo presented the case as follows: January 2019 observed front gutter in disrepair, trim/fascia in need of paint and brush throughout the property. 1/11, sent letter; 2/12 received a voicemail from Mr. Mullins; 2/15 spoke to Mr. Mullins and he indicated he would be replacing the siding/gutters and granted extension until March; 3/15, no change, wet spring; 4/3, no change; 5/23, issued 1st citation, had the wrong property owner on citation but it was for the correct address; 6/13, issued second citation and observed overgrown landscaping; 6/14 sent a letter for overgrown landscaping; 6/24 issued 1st citation for overgrown citation; 6/27 & 6/28 received a few voicemails; 7/2 received voicemail; tried to return call and unable to leave a voicemail; 7/16 no change; 7/17 attempted to call Mr. Mullins; 7/29 finally able to speak to Mr. Mullins and he indicated he would be cleaning up the yard and debating on whether to keep the property or sell the property; 9/3 inspected the property and no significant change, landscaping taken care of.

Timothy Mullins testified Officer DeCarlo gave him permission to leave his trailer and he has been able to clear the brush; more still yet to do and working on vinyl siding/gutters. Mr. Mullins requested until middle of October to complete. He works M-F and Saturday is the day he works on the property. Mr. Spille motioned to continue the case to the November meeting. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

Contested Case #2016-245-ZG
8197 Mall Road
Contested by Brittney Burke

City of Florence vs. Argo Management
Multiple Citations

Officer Macaluso presented the cases as follows: 1/21/16 Officer Jesensky observed the Mall Road Dental Building painted gray and white, plans require a brown color; No change to the plans or approved permit, sent a letter; Officer Jesensky inspected the property for the next six months every month and no change; 7/20 issued 1st citation; 7/28 issued 2nd citation; 8/5 issued 3rd citation; 8/15 issued 4th citation; 8/18/16 – received notification Argo Management would like to contest the citation; 9/7 owner appeared to code board and case was continued until 10/15; owner did not appear and construction company sent letter to planning/zoning to review; case was continued until November meeting; 12/7 no change, owner did not appear; 12/12, issued 5th citation; 12/20 Officer Jesensky received notification owner was coming to the January Code Board; 1/4/17, Board granted four months to have the building repainted; 5/8 no change to building color, issued 6th citation; 5/31 Officer Jesensky inspected the building and the building was painted to the approved plans; an additional 7th citation was issued previously in 2015 for a banner displayed without a permit; 8/26/19, received notification the owner would like to contest the citations; \$1,425.00 in citations, one lien filed and city incurred \$26.00 in expense. Property is in compliance.

Brittney Burke testified on behalf of Argo Management. Ms. Burke is the Office Manager. She explained it did take some time to have the building painted and the building is now painted. The office building is flourishing and would like to reduce the fines and alleviate the lien. Mr. Rowland motioned to dismiss the fines with the exception of the city expense in the amount of \$26.00. Mr. Howard followed with a second. The Board approved 4-0 with an abstention by Board Member Spille.

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PARKING CASES: (10) PAID (4)

Case #	2019-88-KD	City of Florence vs	Jose Chavez	205 Center Street	Citation #0476
Case #	2019-89-KD	City of Florence vs	Arthur Sarver	Belair/Spicewood	Citation #0477
Case #	2019-90-RT	City of Florence vs	Patrick L. Sweeney	4 Wallace Ave.	Citation #0666 PD
Case #	2019-91-TE	City of Florence vs	Arthur Sarver	Belair/Spicewood	Citation #0751
Case #	2019-92-KS	City of Florence vs	Jeremy Pendleton	NB I-75	Citation #0800
Case #	2019-93-PC	City of Florence vs	Susan Mathis	7440 Fair Court	Citation #1020PD
Case #	2019-94-PC	City of Florence vs	Garcia Drywall	Cedarwood	Citation #1022PD
Case#	2019-95-PC	City of Florence vs	Jennifer Cannaday	6045 Belair	Citation #1023
Case #	2019-96-ZE	City of Florence vs	Angel Susa-Freday	Airview Avenue	Citation #2248PD
Case #	2019-97-PC	City of Florence vs	Dem Maleck	Meijer	Citation #3101

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 (49) PAID (0)

Case #	2019-358-OC	City of Florence vs	Lenkley Technologies, Inc.	73 Cavalier Blvd.	Citation #	MM-2019-518
Case #	2019-359-OC	City of Florence vs	Acute Life Massage	73 Cavalier Blvd.	Citation #	MM-2019-519
Case #	2019-360-OC	City of Florence vs	Mark E. Godbey & Associates	73 Cavalier Blvd.	Citation #	MM-2019-520
Case #	2019-361-OC	City of Florence vs	NKY Elite Real Estate	73 Cavalier Blvd.	Citation #	MM-2019-521
Case #	2019-362-OC	City of Florence vs	Professional Welding	73 Cavalier Blvd.	Citation #	MM-2019-522
Case #	2019-363-OC	City of Florence vs	Barnes & Associates	73 Cavalier Blvd.	Citation #	MM-2019-523
Case #	2019-364-OC	City of Florence vs	Fortinet	73 Cavalier Blvd.	Citation #	MM-2019-524
Case #	2019-365-OC	City of Florence vs	Elite Security Systems	73 Cavalier Blvd.	Citation #	MM-2019-525
Case #	2019-366-OC	City of Florence vs	Cardinal Arts LLC	73 Cavalier Blvd.	Citation #	MM-2019-526
Case #	2019-367-OC	City of Florence vs	United Steel Workers	73 Cavalier Blvd.	Citation #	MM-2019-527
Case #	2019-368-OC	City of Florence vs	John Kruer	73 Cavalier Blvd.	Citation #	MM-2019-528
Case #	2019-369-OC	City of Florence vs	Total Choice Mort.	73 Cavalier Blvd.	Citation #	MM-2019-529
Case #	2019-370-OC	City of Florence vs	Mana Capital	73 Cavalier Blvd.	Citation #	MM-2019-530
Case #	2019-371-OC	City of Florence vs	CMIT Solutions	73 Cavalier Blvd.	Citation #	MM-2019-531
Case #	2019-372-OC	City of Florence vs	Southeast Systems	73 Cavalier Blvd.	Citation #	MM-2019-532
Case #	2019-373-OC	City of Florence vs	NKY Chiropractic Spine & Injury	73 Cavalier Blvd.	Citation #	MM-2019-533
Case #	2019-374-OC	City of Florence vs	Drake Custom Construction	73 Cavalier Blvd.	Citation #	MM-2019-534
Case #	2019-375-OC	City of Florence vs	Willow Accupressure	225 Main Street	Citation #	MM-2019-535
Case #	2019-376-OC	City of Florence vs	Griffith Holding LLC	7730 US 42	Citation #	MM-2019-536
Case #	2019-377-OC	City of Florence vs	Rob Porter	75 Cavalier Blvd.	Citation #	MM-2019-537
Case #	2019-378-OC	City of Florence vs	Value Place Florence LLC	40 Cavalier Blvd.	Citation #	MM-2019-538
Case #	2019-379-OC	City of Florence vs	Sunrise Flooring Inc.	30 Cavalier Blvd.	Citation #	MM-2019-539
Case #	2019-380-OC	City of Florence vs	Hatfield's Software Solutions	71 Cavalier Blvd.	Citation #	MM-2019-540

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Case #	2019-381-OC	City of Florence vs	Robert Geiger	75 Cavalier Blvd.	Citation #	MM-2019-541
Case #	2019-382-OC	City of Florence vs	Clinical Behavior	71 Cavalier Blvd.	Citation #	MM-2019-542
Case #	2019-383-OC	City of Florence vs	Boone County Education Assoc.	75 Cavalier Blvd.	Citation #	MM-2019-543
Case #	2019-384-OC	City of Florence vs	Sevad Disdaremic	71 Cavalier Blvd.	Citation #	MM-2019-544
Case #	2019-385-OC	City of Florence vs	Integrity Concepts	71 Cavalier Blvd.	Citation #	MM-2019-545
Case #	2019-386-OC	City of Florence vs	Cincinnati Door & Window	71 Cavalier Blvd.	Citation #	MM-2019-546
Case #	2019-387-OC	City of Florence vs	Toubl Contracting, Inc.	71 Cavalier Blvd.	Citation #	MM-2019-547
Case #	2019-388-OC	City of Florence vs	Greater Cincinnati Home Center	75 Cavalier Blvd.	Citation #	MM-2019-548
Case #	2019-389-OC	City of Florence vs	Gold Financial Services	75 Cavalier Blvd.	Citation #	MM-2019-549
Case #	2019-390-OC	City of Florence vs	The Ritz Ballroom	8150 Mall Road	Citation #	MM-2019-550
Case#	2019-391-OC	City of Florence vs	Tamra Minch	60 Cavalier Blvd.	Citation #	MM-2019-558
Case#	2019-392-OC	City of Florence vs	Kelly Woodrum	60 Cavalier Blvd.	Citation #	MM-2019-559
Case#	2019-393-OC	City of Florence vs	Evan Marsh	60 Cavalier Blvd.	Citation #	MM-2019-560
Case#	2019-394-OC	City of Florence vs	Eileen Schaffstein	60 Cavalier Blvd.	Citation #	MM-2019-561
Case #	2019-395-OC	City of Florence vs	Melissa North	60 Cavalier Blvd.	Citation #	MM-2019-562
Case #	2019-396-OC	City of Florence vs	Paul Taulbee	60 Cavalier Blvd.	Citation #	MM-2019-563
Case #	2019-397-OC	City of Florence vs	Debra Dixon	60 Cavalier Blvd.	Citation #	MM-2019-564
Case #	2019-398-OC	City of Florence vs	Kristy Kelly	4885 Houston Rd.	Citation #	MM-2019-566
Case #	2019-399-OC	City of Florence vs	Dorcas Sitanata	4885 Houston Rd.	Citation #	MM-2019-567
Case #	2019-400-OC	City of Florence vs	Chris Kennedy	4885 Houston Rd.	Citation #	MM-2019-568
Case #	2019-401-OC	City of Florence vs	Kathy Sauley	4885 Houston Rd.	Citation #	MM-2019-569
Case #	2019-402-OC	City of Florence vs	Lori Taylor	4885 Houston Rd.	Citation #	MM-2019-570
Case #	2019-403-OC	City of Florence vs	Christopher Pfaff	4885 Houston Rd.	Citation #	MM-2019-572
Case #	2019-404-OC	City of Florence vs	Lorrie Hayes	4885 Houston Rd.	Citation #	MM-2019-573
Case #	2019-405-OC	City of Florence vs	Kelly Meyer	4885 Houston Rd.	Citation #	MM-2019-574
Case #	2019-406-OC	City of Florence vs	Teresa Gillum	4885 Houston Rd.	Citation #	MM-2019-575

Officer Macaluso received emails from the following real estate agents requesting their citations be dismissed and all are in compliance: Kim Moore, Lorrie S. Hayes, Ken James, Robert Geiger, Kelly Redwine, Carrieanne Elliott. Mr. Rowland motioned to dismiss the cases. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

FIRE PREVENTION CASES: (0) None

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (36) Paid (7)

Case #	2019-285-PM	City of Florence vs	Ronald Remley	41 Meadow Wood	Citation #	BD-2019-103
Case #	2019-286-PM	City of Florence vs	Deanna Shamblin	8575 Winthrop	Citation #	BD-2019-104
Case #	2019-287-PM	City of Florence vs	Dorlene & Kirk Wunnenberg	8647 Heritage Drive	Citation #	BD-2019-105

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Case #	2019-288-PM	City of Florence vs	Joseph Kang	8 Airview Ave.	Citation #	BD-2019-106
Case #	2019-289-PM	City of Florence vs	James & Janice Brady	5 Red Clover Ct.	Citation #	BD-2019-107
Case #	2019-290-PM	City of Florence vs	AMH 2015-1 Borrower LLC	2671 Jackson Rue	Citation #	BD-2019-108PD
Case #	2019-291-PM	City of Florence vs	Hau Tou	2739 Chateau Ct.	Citation #	BD-2019-109PD
Case #	2019-292-PM	City of Florence vs	Tara Calhoun	10073 Barronne St.	Citation #	BD-2019-110
Case #	2019-293-PM	City of Florence vs	Griffith Holding LLC	7730 US 42 Hwy	Citation #	BD-2019-111
Case #	2019-294-ZG	City of Florence vs	Voung Nguyen	Parcel 062.00-00-39.00	Citation #	BD-2019-112
Case #	2019-295-PM	City of Florence vs	Pornpat Phuchutham	9081 Georgian Ct.	Citation #	BD-2019-113
Case #	2019-296-ZG	City of Florence vs	Covington Shopping Center LLC	8537 US 42 Hwy	Citation #	BD-2019-114PD
Case #	2019-297-PM	City of Florence vs	Scott Palmer	8469 Village Drive	Citation #	BD-2019-115
Case #	2019-298-PM	City of Florence vs	Randall & Pamela Miller	106 Hillside	Citation #	BD-2019-118
Case #	2019-299-PM	City of Florence vs	Jessica & Jesse Moore	42 Meadow Wood Drive	Citation #	BD-2019-119
Case #	2019-300-ZG	City of Florence vs	Voung Nguyen	Parcel 062.00-00-039.00	Citation #	BD-2019-120
Case #	2019-301-PM	City of Florence vs	Burger King #1851	7958 US 42 Hwy	Citation #	BD-2019-121
Case #	2019-302-PM	City of Florence vs	Florence Gateway	7915 US 42	Citation #	MM-2019-511PD
Case #	2019-303-ZG	City of Florence vs	Dutch Properties Inc.	7410-7415 Eagle Creek Ct.	Citation #	MM-2019-512PD
Case #	2019-304-PM	City of Florence vs	Dutch Properties Inc.	7415 Eagle Creek Ct.	Citation #	MM-2019-513PD
Case #	2019-305-PM	City of Florence vs	Dutch Properties Inc.	7410 Eagle Creek Ct.	Citation #	MM-2019-514PD
Case #	2019-306-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-515
Case #	2019-307-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-516
Case #	2019-308-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-517
Case #	2019-309-ZG	City of Florence vs	Insight Kentucky Partnership II	7906 Dixie Hwy.	Citation #	MM-2019-551
Case #	2019-310-ZG	City of Florence vs	Cobblestone Street II LLC	7550 Dixie Hwy.	Citation #	MM-2019-552
Case #	2019-311-PM	City of Florence vs	Ron Brown	410 Kentaboo Ave	Citation #	MM-2019-553
Case #	2019-312-PM	City of Florence vs	Ronald & Karen Simpson	23 Ridgeway Ave.	Citation #	MM-2019-554
Case #	2019-313-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-555
Case #	2019-314-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-556
Case #	2019-315-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-557
Case #	2019-316-ZG	City of Florence vs	7961 US Hwy 42 Florence LLC	7961 US 42	Citation #	MM-2019-565
Case #	2019-317-PM	City of Florence vs	Ronald & Karen Simpson	23 Ridgeway Ave.	Citation #	MM-2019-577
Case #	2019-318-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-578
Case #	2019-319-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-579
Case #	2019-320-PM	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-580

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Officer DeCarlo requested the citation for Case #2019-289-PM, James & Janice Brady, Citation #BD-2019-107 be dropped. Officer DeCarlo spoke with the owners and indicated they did not receive a letter. Violation has been cleaned up and property is in compliance. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

Officer DeCarlo requested the citation for Case #2019-295-PM, Pornpat Phuchutham, Citation #BD-2019-113 be dropped. Officer DeCarlo spoke with the owners, language barrier. However once spoke with them, repairs were completed. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

CONTINUED CASES

**Continued Case #2019-117-ZG
15 New Uri Avenue**

**City of Florence vs JCNK Properties, LLC.
Multiple Citations & Liens**

Officer Macaluso made numerous attempts to contact the owners. The owners are no longer speaking to him. Officer Macaluso requested to uphold all the fines and citations. Mr. Spille motioned to uphold and Mr. Rowland followed with a second. **Motion was carried by unanimous vote.**

**Continued Case # 2019-215-PM
216 St. Jude Circle**

**City of Florence vs Gregory McDowell
Multiple Citations**

Officer DeCarlo inspected the property on 9/3 and shed is still in disrepair, garage door needs to be repainted. Mr. McDowell requested a continuance as he was unable to attend the meeting, requested more time. Officer DeCarlo granted an extension until the October meeting to allow Mr. McDowell time to come into compliance and requested a continuance until October. Mr. Spille motioned to continue the case to October. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

**Continued Case #2018-182-PM
8231 U.S. 42**

**City of Florence vs Mary Vivian Sowder Estate
Multiple Citations & Liens**

Officer Macaluso requested continuance. Property has been placed for Auction on 9/21 by Absolute Auction. Mr. Spille motioned to continue the case. Mr. Rowland followed with a second. **Motion was carried by unanimous vote.**

**Continued Case 2018-70-OC
7735 Industrial Road**

**City of Florence vs BBMJJG
Multiple Citations & Liens**

Officer Macaluso is working with the Administration Department and a plan of action. Requested continuance. Mr. Spille motioned to continue the case. Mr. Rowland followed with a second. **Motion was passed by unanimous vote.**

ATTORNEY'S REPORT:

No new developments on any litigation to report.

OTHER BUSINESS:

Officer Macaluso requested Ronald and Karen Simpson be issued a Subpoena for the property located at 23 Ridgeway Avenue. Numerous violations have been ignored. Motion made by Mr. Spille to serve a subpoena and a second from Mr. Rowland. **Motion was carried by unanimous vote.**

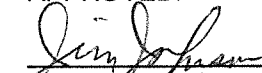
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ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on October 2, 2019.

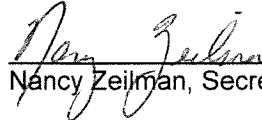
There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Sharp so moved, with second from Board Member Howard. **Motion passed with unanimous approval of the Board**, the time being 10:29 a.m.

APPROVED:



Jim Johnson, Chairman

ATTEST:



Nancy Zeilman, Secretary