



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, NOVEMBER 6, 2019**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, November 6, 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 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; 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; Nathan Rettig, Police Officer. In the audience: Jonathan Reeves, contesting; Tonya Burns, Attorney, contesting; Victoria Mendez, contesting; Nephi Mendiz, contesting; Kelly Woodrum, contesting; Tamra Minch, contesting; Joe Massa, continued case; Timothy Mullins, continued case; Ronald Remley, continued case.

APPROVAL OF MINUTES:

October 2, 2019

Chairman Johnson called for a motion to approve the minutes of the October 2, 2019 meeting of the Code Enforcement Board. Board Member Sharp motioned to accept the minutes as read with a second from Board Member Rowland. **Motion carried by unanimous vote.**

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASE:

**Contested Case #2019-118-PC
Wal-Mart/Houston Road**

**City of Florence vs. Jonathan M. Reeves
Police Citation #3107**

Florence Police Officer Pat Cottingham testified that on 10/3 he was patrolling the parking lot of Wal-Mart on Houston Road. He noticed a silver ford fusion parked in between the two entrance doors which is marked with yellow lines and multiple no parking signs. Checked to see if vehicle was attended or unattended. Vehicle was unattended and running. He cited the vehicle. Board Member Rowland asked how long the vehicle was unattended. Officer Cottingham stated he had seen the vehicle parked when he made his rounds in the parking lot.

Mr. Reeves appeared and stated that everything Officer Cottingham said was 100% true. He is the owner and operator of Fast Cab. Has been serving the community for 19 years as a taxi company. He received a call from an elderly lady requesting to be picked up at Wal-Mart and requesting his assistance inside the store. She was in a wheelchair and needed help her with her groceries. Mr. Reeves parked and left his cab running. He went in the store to assist her. When he came back outside to pull the cab closer, he saw the officer leaving and noticed the ticket. Mr. Reeves was unclear as to where he would park his cab to help the elderly lady at Wal-

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Mart. Mr. Reeves left his cab, unattended and running, since he was a taxi driver. Mr. Reeves stated he was guilty but was trying to help an elderly lady and doing his job.

Mr. Rowland understood Mr. Reeves point, however, needed to support the officers and made a motion to uphold the citation. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case #2019-367-PM
35 Banklick Street
Contested by Tonya Burns, Attorney

City of Florence vs. Crossroads Property LLC
Citation #MM-2019-656

Officer Macaluso presented the case as follows: Property is one of the new apartment complexes on Banklick. Observed a large dead ash tree. He measured and the tree was out of the right of way and therefore the responsibility of the property owner to remove the tree. Sent letter on 9/5; 10/16 inspected property, tree was still standing, issued first citation, taped citation to the tree and also to the sign out front; 10/22 received a phone call from property owner stating her husband was trying to call and apologized but did not receive a voicemail from her husband. Ms. Burns called and let him know the tree had been removed. Present time in compliance and one citation in the amount of \$50.00.

Attorney, Tonya Burns, appeared on behalf of Crossroads Property LLC. Attorney Burns stated everything Officer Macaluso stated was correct, however, she came to code board for the principal. She stated she takes a lot of pride in the property and her reputation. As soon as the letter was received, steps were taken to remove the tree. Letter was dated 9/5 and received on 9/11. Upon receipt of the letter, her husband took a crew for maintenance and looked at the tree. She also owns Burlington Oaks Apartments and keeps a maintenance crew. Upon inspection of the tree, there was a power line too close and extremely dangerous for the crew to remove, therefore contacted a tree cutting service. The service came and inspected the tree. Ideally would have had the tree removed the same day, however it took a little time to have the tree removed. The day the service was sent to remove the tree, they did not have a bucket truck and therefore had to go back. She called her husband and told him to call Officer Macaluso. Husband did call and left a voicemail with Officer Macaluso. Issue was extenuating circumstances to have the tree removed. Mrs. Burns requested the fines be dismissed or reduced. Mr. Sharp motioned to dismiss the citation. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Contested Case #2019-353-ZG
62 Hearthstone Court
Contested by Victoria Mendez & Nephi Mendez

City of Florence vs. Mayra Pumarol
Citation #BD-2019-135

Officer DeCarlo presented the case as follows: End of September, it was brought to the attention of the Public Services Department properties within the city of Florence listed on Airbnb; Officer Kleier checks site periodically and identifies the locations; Officer Kleier was able to determine this property had an Airbnb listing on 9/26; 9/27 sent letter to property owner; 10/14 listing was still on website, printed copy of listing and issued 1st citation for violation of zoning regulations; Ms. Mendez stopped by the government center on 10/16 and Officer DeCarlo explained the zoning regulations regarding rentals and how to contest the citation; Requested her to black out any future dates and she indicated her last booking was April 22, 2020 and she would; Checked the site prior to code board and it appears you can still rent days through the end of April 2020.

Victoria Mendez appeared on behalf of the property and realized she misunderstood Officer DeCarlo. Thought she was not able to obtain any reservations after April and believed she was good to continue booking until April. Ms. Mendez apologized and will black out future dates. She wanted to contest because she believes the Airbnb is helping city and all renters that come to visit do not do any harm. Her visitors visit Florence and their surrounding attractions. Renters are families and feels like she has not bothered neighbors and keeping the property up to standards. Her and her family live in the house, pay taxes, and feel like they are helping the city. Will finish bookings, blackout future dates and now understands Mr. DeCarlo. The Mendez's live in the property and when they rent the property, the Mendez's go to grandma's house in Verona. She did not realize they were not able to rent the property as everyone is renting their house on Airbnb now.

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Chairman Johnson questioned whether there was a possibility of Florence allowing this in the future. Attorney Skees stated the city is currently studying short term rentals and as of right now, not permitted. Mr. Mendez wanted to know what he could do to allow. Attorney Skees encouraged the Mendez's to attend a city council meeting held on Tuesday evenings at 6:30 p.m. The Mendez assured the board they would block future rental dates.

Mrs. Mendez requested the fines be dismissed or reduced. Mr. Howard motioned to dismiss the citation. Motion to dismiss failed for lack of second. Chairman Johnson opened for another motion. Mr. Rowland moved to uphold the citation because it is the law and the board needs to follow the rule of the law. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

**Contested Case #2019-87-OC
60 Cavalier Blvd**

**City of Florence vs. Kelly Woodrum
Multiple Citations**

Officer Macaluso presented the case as follows: Sent a letter for no Occupational License on 1/4/19; 2/12 issued 1st citation; proceeded to issue 7 citations between 2/12 and 9/30; 10/24 received notification Ms. Woodrum would like to contest and followed up with the Finance Department, she is now in compliance. \$1700.00 in code fines and no liens.

Ms. Woodrum appeared and stated she did not understand the license process. She had went to the Boone County Courthouse and paid the fees. Did not realize she had to pay a separate fee to the city if she did not sell in the city. She had sold a condo on Boone Aire. Ms. Woodrum is now in compliance and requested that the fines be dismissed. Mr. Rowland motioned that the case be dismissed. Mr. Sharp followed with a second. Board Member Johnson requested a Roll Call Vote. The Board approved 3-1, motion carried. **Motion carried by unanimous vote.**

**Contested Case #2019-95-OC
60 Cavalier Blvd**

**City of Florence vs. Tamra Minch
Multiple Citations**

Officer Macaluso presented the case as follows: Sent a letter for no Occupational License on 1/4/19; 2/12 issued 1st citation; proceeded to issue 7 citations between 2/12 and 9/30; 10/24 received notification Mrs. Minch would like to contest. Officer Macaluso accompanied Mrs. Minch the morning of Code Board to check for the license at the Finance Department and she is now in compliance. Mrs. Minch's name was misspelt in database. \$1700.00 in code fines and no liens.

Mrs. Minch appeared and stated she had been in Chicago on and off for the past year. Her husband has been undergoing stem cell transplant and she had been unable to obtain her license. Mr. Sharp motioned that the case be dismissed. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

**Contested Case #2019-283-PM
520 Kentaboo Ave.**

**City of Florence vs. Regina Hill
Citation #ST-2019-005**

Officer Toning presented the case as follows: 7/9/19 observed high grass and weeds at the property, sent letter to the property owner; 7/17, no change issued 1st citation, posted the citation on the for sale sign; 9/30 property owner, Ms. Hill called the clerk's office and requested to speak with him regarding the citation. Discussed the citation and Ms. Hill assured him she would continue to stay in compliance and have a lawn care service take care of the property. Ms. Hill requested he contest the citation for her at the board hearing as she was disabled and unable to come to the hearing. Initially the property was cleaned up. On 11/5, observed the property and currently the property is not in compliance. Asking for the citation to be upheld as there is high grass and weeds again over a foot tall.

No vote was needed as a result of no one appearing at Code Board to contest the citation. Officer Toning upheld the citation due to non-compliance.

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**Contested Case #2019-135-PM/ZG
113 Lloyd Avenue**

**City of Florence vs. Robert and Selma Pieper
Citation #MM-2019-207**

Officer Macaluso presented the case as follows: Officer Jesenky was the original officer for this property and on 12/6/18 he found six different violations throughout property. Building was in disrepair, sent a letter. 1/10 inspected the property and observed a dumpster on site, no change. 2/25, no change. 4/16, Officer Macaluso obtained the property and observed a dumpster remained, no change, swimming pool contained debris, issued 1st citation. Few days letter, received a call from the property owner and stated they purchased the property and trying to rehab. New property owner was unaware of the letter. The initial letter was mailed to the previous owner. Monitored the property until October. Received confirmation work was done. Inspected the property and looks brand new, done an amazing job. Requested citation be dropped. Mr. Sharp motioned to dismiss the citation. Mr. Howard followed with a second. **Motion carried by unanimous vote.**

PARKING CASES: (8) PAID (1)

Case #	2019-112-LM	City of Florence vs	Ryan Oliver	48 Achates	Citation #0130
Case #	2019-113-CB	City of Florence vs	Thomas Brummer	109 Thomas	Citation #0544
Case #	2019-114-TE	City of Florence vs	Stephen Mitchell	11 Beverly	Citation #0752
Case #	2019-115-CM	City of Florence vs	Joseph Cuervo	31 Goodridge	Citation #2294
Case #	2019-116-JW	City of Florence vs	Mary Connoly	Lynn Street	Citation #2296
Case #	2019-117-JW	City of Florence vs	Mary Connoly	Lynn Street	Citation #2297
Case #	2019-118-PC	City of Florence vs	Jonathan Reeves	Walmart	Citation #3107
Case #	2019-119-JD	City of Florence vs	Candida Kerr	Trotters Way	Citation #7030PD

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 (46) PAID (0)

Case #	2019-424-OC	City of Florence vs	Debra Dixon	60 Cavalier Blvd.	Citation #	MM-2019-616
Case #	2019-425-OC	City of Florence vs	Paul Taulbee	60 Cavalier Blvd.	Citation #	MM-2019-617
Case #	2019-426-OC	City of Florence vs	Melissa North	60 Cavalier Blvd.	Citation #	MM-2019-618
Case #	2019-427-OC	City of Florence vs	Eileen Schaffstein	60 Cavalier Blvd.	Citation #	MM-2019-619
Case #	2019-428-OC	City of Florence vs	Evan Marsh	60 Cavalier Blvd.	Citation #	MM-2019-620
Case #	2019-429-OC	City of Florence vs	Tamra Minch	60 Cavalier Blvd.	Citation #	MM-2019-621
Case #	2019-430-OC	City of Florence vs	Kelly Woodrum	60 Cavalier Blvd.	Citation #	MM-2019-622
Case #	2019-431-OC	City of Florence vs	WinWinWin	71 Cavalier Blvd.	Citation #	MM-2019-624
Case #	2019-432-OC	City of Florence vs	Cindy Hahn	75 Cavalier Blvd.	Citation #	MM-2019-625
Case #	2019-433-OC	City of Florence vs	ARCP MT Florence KY LLC	1336 Hansel Ave.	Citation #	MM-2019-626
Case #	2019-434-OC	City of Florence vs	Rob Porter	75 Cavalier Blvd.	Citation #	MM-2019-627
Case #	2019-435-OC	City of Florence vs	USA Mortgage	7000 Houston Rd.	Citation #	MM-2019-631
Case #	2019-436-OC	City of Florence vs	Lenkley Technologies	73 Cavalier Blvd.	Citation #	MM-2019-632
Case #	2019-437-OC	City of Florence vs	Cardinal Arts LLC	73 Cavalier Blvd.	Citation #	MM-2019-633
Case #	2019-438-OC	City of Florence vs	United Steel Workers	73 Cavalier Blvd.	Citation #	MM-2019-634
Case #	2019-439-OC	City of Florence vs	John Kruer	73 Cavalier Blvd.	Citation #	MM-2019-635
Case #	2019-440-OC	City of Florence vs	Mark E. Godney & Assoc.	73 Cavalier Blvd.	Citation #	MM-2019-636
Case #	2019-441-OC	City of Florence vs	NKY Elite Real	73 Cavalier Blvd.	Citation #	MM-2019-637

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Case #	2019-442-OC	City of Florence vs	Professional Welding	73 Cavalier Blvd.	Citation #	MM-2019-638
Case #	2019-443-OC	City of Florence vs	Total Choice Mortgage	73 Cavalier Blvd.	Citation #	MM-2019-639
Case #	2019-444-OC	City of Florence vs	CMIT Solutions	73 Cavalier Blvd.	Citation #	MM-2019-640
Case #	2019-445-OC	City of Florence vs	NKY Chiropractic Spine & Injury	73 Cavalier Blvd.	Citation #	MM-2019-641
Case #	2019-446-OC	City of Florence vs	Drake Custom Construction	73 Cavalier Blvd.	Citation #	MM-2019-642
Case #	2019-447-OC	City of Florence vs	Fortinet	73 Cavalier Blvd.	Citation #	MM-2019-643
Case #	2019-448-OC	City of Florence vs	Elite Security Systems	73 Cavalier Blvd.	Citation #	MM-2019-644
Case #	2019-449-OC	City of Florence vs	Pink-in-a Blanket Doughnut Inc	7220 Burlington Pike	Citation #	MM-2019-645
Case #	2019-450-OC	City of Florence vs	Teresa Gillum	4885 Houston Rd.	Citation #	MM-2019-646
Case #	2019-451-OC	City of Florence vs	Doscas Sitanata	4885 Houston Rd.	Citation #	MM-2019-647
Case #	2019-452-OC	City of Florence vs	Chris Kennedy	4885 Houston Rd.	Citation #	MM-2019-648
Case #	2019-453-OC	City of Florence vs	Kelly Meyer	4885 Houston Rd.	Citation #	MM-2019-649
Case #	2019-454-OC	City of Florence vs	Christopher Pfaff	4885 Houston Rd.	Citation #	MM-2019-651
Case #	2019-455-OC	City of Florence vs	Lori Taylor	4885 Houston Rd.	Citation #	MM-2019-652
Case #	2019-456-OC	City of Florence vs	Kathy Sauley	4885 Houston Rd	Citation #	MM-2019-653
Case #	2019-457-OC	City of Florence vs	Shady Photography Studio	8180 Mall Rd.	Citation #	MM-2019-654
Case #	2019-458-OC	City of Florence vs	Hatfield's Software Solutions	71 Cavalier Blvd.	Citation #	MM-2019-655
Case #	2019-459-OC	City of Florence vs	Sara Scheyer Farmer	4895 Houston Rd.	Citation #	MM-2019-657
Case #	2019-460-OC	City of Florence vs	Amy Duncan	4895 Houston Rd.	Citation #	MM-2019-658
Case #	2019-461-OC	City of Florence vs	Jason Phillips	4895 Houston Rd.	Citation #	MM-2019-659
Case #	2019-462-OC	City of Florence vs	Elma Schadler	4895 Houston Rd.	Citation #	MM-2019-660
Case #	2019-463-OC	City of Florence vs	Monica Howe	4895 Houston Rd.	Citation #	MM-2019-661
Case #	2019-464-OC	City of Florence vs	Robert Kappes	4895 Houston Rd.	Citation #	MM-2019-662
Case #	2019-465-OC	City of Florence vs	Nick Gregory	4895 Houston Rd.	Citation #	MM-2019-663
Case #	2019-466-OC	City of Florence vs	Debbie Coffman	4895 Houston Rd.	Citation #	MM-2019-664
Case #	2019-467-OC	City of Florence vs	Jean Paul	4895 Houston Rd.	Citation #	MM-2019-665
Case #	2019-468-OC	City of Florence vs	Vickie House	4895 Houston Rd.	Citation #	MM-2019-667
Case #	2019-469-OC	City of Florence vs	Don McCoy	4895 Houston Rd.	Citation #	MM-2019-668

Officer Macaluso requested the citations for Case #2019-427-OC, Eileen Schaffstein be dropped. She does not have any sales in Florence and is required to have her name at the real estate company. Only works in Ohio. Mr. Rowland motioned to dismiss the case. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

Officer Macaluso requested the citations for Case #2019-428-OC, Evan Marsh be dropped. He does not have any sales in Florence and was able to verify. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

Officer Macaluso requested the citations for Case #2019-441-OC, NKY Elite Real Estate be dropped. They file under a DBA. Company was able to prove and requesting dismissal of citations. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

Officer Macaluso requested the citations for Case #2019-444-OC, CMIT solutions be dropped. They file under a DBA, parent company. Company was able to prove and requesting dismissal of citations. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

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Officer Macaluso requested the citations for Case #2019-469-OC, Don McCoy be dropped. He files under his wife's name. She is a real estate agent and pays him payroll. Mr. Sharp motioned to dismiss the case. Mr. Howard followed with a second. **Motion was carried by unanimous vote.**

FIRE PREVENTION CASES: (0) None

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (23) Paid (5)

Case #	2019-345-PM/ZG	City of Florence vs	Willard & Shirley McClintock	10 Kennedy Court	Citation #	BD-2019-127
Case #	2019-346-PM	City of Florence vs	Amy & John Lambert	2134 Algiers St.	Citation #	BD-2019-128
Case #	2019-347-PM	City of Florence vs	Lorraine Daniel	121 Burgess Lane	Citation #	BD-2019-129
Case #	2019-348-PM/ZG	City of Florence vs	Christina Griffith	8410-8414 US 42 Hwy	Citation #	BD-2019-130
Case #	2019-349-ZG	City of Florence vs	Pleasant Valley Plaza	8640 Haines Drive	Citation #	BD-2019-131
Case #	2019-350-PM	City of Florence vs	Florence Center Associates	8095 Connector Drive	Citation #	BD-2019-132PD
Case #	2019-351-ZG	City of Florence vs	New Plan Property Holdings	7717 Mall Road	Citation #	BD-2019-133
Case #	2019-352-PM	City of Florence vs	Clovis & Maria Kras	22 Thorn Hill Dr.	Citation #	BD-2019-134PD
Case #	2019-353-ZG	City of Florence vs	Mayra Pumarol	62 Hearthstone Ct.	Citation #	BD-2019-135
Case #	2019-354-PM	City of Florence vs	Florence Center Associates	8095 Connector Dr.	Citation #	BD-2019-136
Case #	2019-355-PM	City of Florence vs	Alan Naylor	221 Buckingham	Citation #	BD-2019-137
Case #	2019-356-PM	City of Florence vs	John Deaton	2266 Algiers St.	Citation #	BD-2019-138PD
Case #	2019-357-PM	City of Florence vs	Steven & Jamie Bowling	2412 Bellegarde Court	Citation #	BD-2019-139PD
Case #	2019-358-ZG	City of Florence vs	Christina Griffith	8410-8414 US 42	Citation #	BD-2019-140
Case #	2019-359-PM	City of Florence vs	Lloyd & Samantha Harris	8350 Tamarack Drive	Citation #	BD-2019-141
Case #	2019-360-PM	City of Florence vs	Brooks Jones	8364 Tamarack Drive	Citation #	BD-2019-142
Case #	2019-361-PM	City of Florence vs	Peter Watkins, Jr.	5 Airview Avenue	Citation #	BD-2019-143
Case #	2019-362-ZG	City of Florence vs	New Plan Property Holding Co.	7683 Mall Road	Citation #	MM-2019-614PD
Case #	2019-363-PM	City of Florence vs	Ronald & Karen Simpson	23 Ridgeway Ave.	Citation #	MM-2019-623
Case #	2019-364-PM	City of Florence vs	SG Capital Partners	68 Utz Drive	Citation #	MM-2019-628
Case #	2019-365-PM	City of Florence vs	Jennifer Webb	6016 Spicewood Ave.	Citation #	MM-2019-629
Case #	2019-366-ZG	City of Florence vs	Lisa Ament	263 Merravay Dr.	Citation #	MM-2019-630
Case #	2019-367-PM	City of Florence vs	Crossroads Property LLC	35 Banklick Street	Citation #	MM-2019-656

Officer DeCarlo requested the citations for Case #2019-351-ZG, New Plan Property Holding Co. be dismissed. Miscommunication prior to citation and requesting dismissal. Mr. Rowland motioned to dismiss the case. Mr. Sharp followed with a second. **Motion was carried by unanimous vote.**

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CONTINUED CASES

Continued Case # 2019-95-PM/ZG
7912 Dream Street
Represented by Joe Massa

City of Florence vs Arc Café USA
Multiple Citations

Officer Macaluso presented the cases as follows: Property was continued for 90 days to allow Mr. Massa time to come into compliance. He had been having contractor issues and explained that he should be able to get the property into compliance within 90 days. Inspected the property a month ago, took pictures, no change to the property. Inspected 11/5, no change, paint flaking, roof still contains rust on the vent, dumpster coral still needs gates, parking lot still in disrepair, light pole on the rear of the property missing. No change to the property within 90 days.

Joe Massa testified all the statements from Officer Macaluso are correct. The light pole is scheduled for replacement at the end of November by ABC Signs. Has the signed paper and contract on his phone to present, not here to pull anyone's leg. Could not get ABC Signs out there earlier, they had to order the pole and sign. Spoke with ABC sign this morning and scheduled for November 28. Painting was to be done by the corporate office out of Nashville. He could not wait any longer, therefore he hired a local guy. Dave Ritchie's Painting will be painting the building against the company's recommendation. He is scheduled to paint this month and has the correspondence on his phone. The parking lot, requesting until the Spring/Fall because of the job. The painting will take care of all the other issues. The fence and front gates, Mr. Massa requested clarification. A brand new fence had been installed by Mills Fencing and he was informed by Mills Fencing, he does not need front gates on the dumpster enclosure. He can get the gates put on, brand new dumpster fence, just needs clarification. Officer Macaluso instructed Mr. Massa to call Boone County Planning Commission regarding the gates. According to the ordinance, a dumpster enclosure needs to be completely enclosed and out of sight per Officer Macaluso. He was initially told he did not need the gates and that is why the gates are off. He is wanting to get into compliance, just waiting on the dates. Board Members requested clarification for the light pole date, as the 28th was Thanksgiving. Mr. Massa stated the corrected date for the pole is November 22.

For the last 90 days, Mr. Massa explained the corporate office is in Nashville and he is required to use certain painters since he is a franchise. Mr. Massa was having difficulty getting corporate painters out to the building. He was informed the painters would not be able to come until the spring and Mr. Massa said he could not wait. Captain D's only uses certain painters to ensure all Captain D's will look the same. Mr. Massa could not wait any longer and elected to use a local painter. He was told they were against him doing that and therefore he will have to pay for the painting himself. Talked to Dave Ritchie yesterday and he only needs three days. The paint has been ordered and will repair all the issues.

The downspouts have been repaired. Officer Macaluso informed Mr. Massa one of the downspouts needs an elbow with a splash block on the rear of the property. Three have been repaired, four initially needed repair. The downspouts were repaired by Cincinnati Gutter and he will have the one remaining repaired. Mr. Massa believes he will have the issues repaired in November. Mr. Massa requested a continuance until December and possible spring with the parking lot. Mr. Massa believed the parking lot was not initially cited. Officer Macaluso stated originally the letter only contained the dumpster enclosure where a vehicle went through. Upon further inspection, several other violations were cited. He has not been cited for the rusted hood vent. Mr. Massa assured him the hood vent would be painted by the painter and was on the list. Trash and debris has been removed and an everyday issue due to the lot by the woods. Officer Macaluso stated the trash and debris one day it will be gone and the next it is back. Mr. Massa cleans the lot and the wood line on the back of property every day.

Mr. Massa requested additional time. Officer Macaluso stated it has been a yearlong issue and only thing accomplished are three walls on the dumpster enclosure and no gates, some of the downspouts repaired and other need additional, never ending battle with trash and debris. The sidewalk leading into front of building is in disrepair and could be a trip hazard. The parking lot needs to be done. Board Member Rowland motioned to allow Mr. Massa an extension until the December meeting. Officer Macaluso was in agreement. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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Continued Case #2019-232-PM
9 Vivian Drive
Represented by Timothy Mullins

City of Florence vs. John Mullins
Multiple Citations

Officer DeCarlo presented the cases as follows: Violations include gutter in disrepair, trim with chipped and peeling paint, overgrown landscaping. Mr. Mullins appeared at the September meeting and was continued to allow Mr. Mullins time to come into compliance. Inspected the property on 11/5 and the landscaping has been cleaned up, gutter and trim remain unchanged.

Timothy Mullins testified he has part of it done and still needs to do more landscaping. Requested additional time to have the siding and gutters done. Wants to get the work done and having trouble finding a contractor he trusts. Requested recommendations from the Board Members. Chairman Johnson informed Mr. Mullins the board is unable to provide names due to conflict. Mr. Mullins is requesting 30 days to allow for more time to find a contractor. Has a trailer full with the landscaping and working on it, especially the vines and when he was cleaning up, he got poison ivy. He plans to have shutters, gutters, soffits and siding replaced when he finds a contractor he trusts. Mr. Rowland motioned to continue the case to next month. Mr. Sharp followed with a second. **Motion 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 and Mr. McDowell has made some progress on the shed, however, still not in compliance. Roof appears to be elevated, doors on, still a hole and trim. Left a message and have not heard back. Officer DeCarlo requested the citations be upheld since Mr. McDowell was not in attendance and remained not in compliance. No vote was needed as a result of no one appearing at Code Board to contest the citation. Officer DeCarlo upheld the citation due to non-compliance.

Continued Case #2019-285-PM
41 Meadow Wood Drive

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

Officer DeCarlo presented the cases as follows: Inspected the property on 11/5 and overgrown landscaping, high grass and the large branch which had remained has all been cleaned up. Looks good and in compliance.

Ronald Remley requested dismissal reduction of the fine. Mr. Rowland motioned to dismiss the case. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case #2019-326-PM
9 Scott Street

City of Florence vs. Rueben & Rebecca Weatherington
Multiple Citations

Officer Macaluso presented the cases as follows: Spoke with Ms. Weatherington on 11/5 and was able to inspect the property. Ms. Weatherington went above and beyond of what was asked. She tore the wall down and rebuilt. In compliance and requesting the citations be dropped. Will monitor property and recommends dismissal. Mr. Howard motioned to dismiss the case. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case #2019-131-PM/ZG
23 Ridgeway Avenue

City of Florence vs. Ronald & Karen Simpson
Multiple Citations & Liens

Officer Macaluso presented the cases as follows: Subpoenaed case from October. Unable to get in contact with property owner and property is beyond disrepair. Officer Macaluso requested the citations be upheld. No vote was needed as a result of no one appearing at Code Board to contest the citations. Officer Macaluso upheld the citations due to continued non-compliance.

CITY OF FLORENCE CODE ENFORCEMENT BOARD
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Continued Case #2018-182-PM
8231 U.S. 42

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

Officer Macaluso requested continuance, has been in contact with the PVA and sale is proceeding. Possible new owner by next month and will be in contact. Upon confirmation of new owner, Officer Macaluso will be in contact. Received request for payoff. No vote was needed and case will be continued until the next month.

ATTORNEY'S REPORT:

Attorney Skees reported the Hengehold case has been set for oral argument on January 22, 2020 with the Court of Appeals.

ADJOURNMENT:

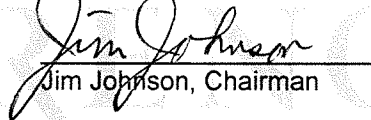
Chairman Johnson reminded the Board the next meeting will be held on December 4, 2019.

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 Rowland. **Motion passed with unanimous approval of the Board**, the time being 10:59 a.m.

ATTEST:


Nancy Zeilman, Secretary

APPROVED:


Jim Johnson, Chairman

