



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, JANUARY 6, 2021**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, January 6, 2021 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: David Spille, Lance Howard, Rick Rowland, Bill Sharp, and Jim Johnson.

Also present: Hugh O. Skees, Attorney; Brandi Roundtree, Assistant City Clerk; Jeremy Kleier, Community Services Superintendent; Mike Macaluso, Code Enforcement Officer; Brian DeCarlo, Code Enforcement Officer; David Rose, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Randy Childress, Fire Marshal and Ki Ransdall, Police Officer. In the audience: Lauren Hern, contesting; Attorney Michael Schulkins, contesting; Lisa Ament, contesting; Paula Baker, contesting; Debra Gillon, continued case; Gina Smith, continued case; John Sedenberg, continued case; and Caitlin Roberts, continued case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the December 2, 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 #2019-211-OC
4885 Houston Road
Contested by Lauren Hern**

**City of Florence vs. Varun Varma
Multiple Citations**

Officer Macaluso presented the case as follows: Mr. Varma is a real estate agent in the city of Florence. May 2019, sent a courtesy notice for occupational license violation; 5/28/19, issued first citation; 6/10/2019, issued second citation; and 6/24/19 issued third citation. 7/22/19 received confirmation that Mr. Varma had come into compliance.

Lauren Hern appeared on behalf of Varun Varma and stated that Mr. Varma was working with Sibcy Cline at the time. He predominately worked in Ohio and did not go into the office in Florence; therefore, he did not receive the letter or citations.

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

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Contested Case # 2020-397-ZG
7641 Dixie Highway
Contested by: Greg Cervenka

City of Florence vs. Florence, DG LLC
Citation # MM-2020-386/ MM-2020-410

Officer Macaluso presented the case as follows: On the second citation issued, there was a clerical error. Dollar General's secretary had emailed Officer Macaluso to let him know that the violations with the parking lot striping were being repaired. Officer Macaluso did not receive the email, and issued the citation. Dollar General was able to provide Officer Macaluso the email was sent, and the issue has been corrected. Officer Macaluso is requesting that the parking lot striping violation on the second citation be dismissed in the amount of \$150.00. Officer Macaluso has been in contact with Mr. Cervenka, who was unable to attend the hearing, and they are working on correcting the remaining violation. Officer Macaluso requested that the rest of the case be continued to allow the property owners time to come into compliance.

Mr. Rowland motioned to drop the \$150.00 portion of the second citation, Citation #MM-2020-410, and to continue the remainder of the case to the February 3, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2020-441-ZG
93 Coreta Drive
Contested by: Attorney Michael Schulkins

City of Florence vs. Edith Bell
Citation # DR-2020-3

Officer Rose presented the case as follows: Inspection was completed on 11/6/20, observed a right of way obstruction, first notice mailed; follow up inspection completed on 11/16/20 with no change, second notice mailed; third inspection completed on 11/24, received a change of address from the United States Postal Service. Courtesy notice sent to new address on 12/2/20. Officer Rose received a call from Michelle Tipton, daughter of Ms. Bell. Officer Rose informed Ms. Tipton that if the violation was not corrected before the next inspection a citation would be issued. Citation issued on 12/11/20. Inspection completed on 12/21/20 and property was in compliance.

Attorney Michael Schulkins appeared on behalf of Edith Bell. Ms. Bell is deceased and he stated they have attempted to evict the tenants. There is an eviction hearing this morning for the tenants. Mr. Schulkins requested that the citation be dismissed due to the fact that the property is now in compliance.

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

Contested Case # 2020-114-PM/ZG
263 Merravay Drive

City of Florence vs. Lisa Ament
Multiple Citations

Officer Macaluso presented the case as follows: Case began in March 2019, garage door in disrepair, roof in disrepair, windows in disrepair, high weeds and grass throughout the property, trash and debris throughout the property, driveway in disrepair, siding in disrepair, several vehicles parked on unpaved surface, disabled vehicle in front driveway, and unlicensed vehicle in front driveway. There have been 23 citations issued against the property. Completed inspection on 1/4/21, property currently in compliance.

Lisa Ament appeared and stated the reason that it took so long to come into compliance was that there was a house fire at the property in December 2018. She had to wait on the contractors to complete the repairs and while the contractors were working on the house they would park their vehicles in the yard. They were not able to move back into the house until July 2020. Board Member Spille asked Ms. Ament if she let the city know that there was a house fire and that was the reason why the repairs were taking so long. Ms. Ament confirmed that she had informed the city that there was a fire and that was the cause of the violations. Officer Macaluso stated he was finally able to speak with Ms. Ament and her contractor after some time. However, multiple complaints were received regarding the state of the property. Ms. Ament requested the citations be dismissed.

Mr. Sharp motioned to dismiss the citations and uphold the city expense in the amount of \$838.00. Mr. Howard followed with a second. **Motion carried with Board Members Sharp, Howard, and Rowland voting in favor, and Board Member Spille voting against.**

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Contested Case # 2020-316-PM/ZG 20 Lee Street

City of Florence vs. Paula Baker Multiple Citations

Officer Macaluso presented the case as follows: Case began 9/10/2019, Code Officer observed high weeds and grass; trash and debris; disabled vehicle in front driveway; rear fence in disrepair; recreational boat being stored in back of house on unpaved surface; and peeling paint on front porch. First citation issued on 2/17/20, with 10 additional citations issued. Officer Macaluso has spoken to Ms. Baker on several occasions and is working with her on having the violations corrected. All violations have been corrected, with the exception of the boat in the driveway in front of the house.

Paula Baker appeared and stated the boat belongs to her grandson. She stated that when she received the citation for the boat being on an unpaved surface, she had her grandson move the boat to the paved driveway on the side of the house. Officer Macaluso stated that the boat must be in the rear of the property on a paved surface. Ms. Baker requested that the case be continued to allow her time to correct the violation.

Mr. Spille motioned to continue the case until the February 3, 2021 hearing. Mr. Howard followed with a second.
Motion carried by unanimous vote.

PARKING CASES: (7) PAID (2)

Case No.	City of Florence vs.	Citation Location	Citation No.
2020-96-BB	Linda W. Herald	Meadow Lane	2602 - PD
2020-97-CB	Dustin Helton	7230 Isaac	2756
2020-98-CB	Jacob Heiert	Drexel at Kentaboo next to 505	2757 - PD
2020-99-SM	Gregory Bowling	321 Chelsea Square	2832
2020-100-SM	Pamela Bowling	1 Drexel Ave	2833
2020-101-SM	Richard Musambote	223 Claxton	2834
2020-102-JD	Drema M. Flannery	Mall Road- Kroger	7031

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

ANIMAL CONTROL CASES: (0) None

OCCUPATIONAL LICENSE CASES: (4) Paid (4)

Case No.	City of Florence vs.	Citation Location	Citation No.
2020-135-OC	Vincent Rettay (Zhu Wang)	8121 US 42	MM-2020-416 - PD
2020-136-OC	Vincent Rettay (Yao Wang)	8121 US 42	MM-2020-417 - PD
2020-137-OC	Vincent Rettay (Yao Wang)	8121 US 42	MM-2020-418 - PD
2020-138-OC	Vincent Rettay (Zhu Wang)	8121 US 42	MM-2020-419 - PD

FIRE PREVENTION CASES: (0) None

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CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (22) Paid (3)

Case No.	City of Florence vs.	Citation Location	Citation No.
2020-430-ZG	Mark Shackleford	66 Utz Drive	BD-2020-150
2020-431-ZG	Menards Inc.	5000 Apex Lane	BD-2020-151 - PD
2020-432-PM	Joseph Kang	8 Airview Avenue	BD-2020-152
2020-433-ZG	Sandra Ante	8567 Winthrop Circle	BD-2020-153
2020-434-PM	Pearl Pernell	10 Lloyd Ave	BD-2020-154
2020-435-ZG	Village at the Mall Holdings. LLC	7606-7654 Mall Road	BD-2020-155
2020-436-ZG	Mark Shackleford	66 Utz Drive	BD-2020-156
2020-437-PM	Nathalie Burlew	8469 Village Drive	BD-2020-157 - PD
2020-438-ZG	Robin Bailey	112 Meadow Creek Drive	BD-2020-158 - PD
2020-439-ZG	Lawrence Hogan	113 Joann Drive	DR-2020-1
2020-440-NU	Gary Munafo	8011 Mall Road	DR-2020-2
2020-441-ZG	Edith Bell	93 Coreta Drive	DR-2020-3
2020-442-ZG	Lawrence Hogan	113 Joann Drive	DR-2020-4
2020-443-ZG	Florence DG LLC	7641 Dixie Highway	MM-2020-410
2020-444-PM/ZG	Burger King # 1851	7958 US 42	MM-2020-411
2020-445-PM	Reyton Sussex	7505 Sussex Drive	MM-2020-412
2020-446-PM/ZG	Reyton Sussex	7505 Sussex Drive	MM-2020-413
2020-447-PM	Kevin Willenborg	2 Valley Drive	MM-2020-414
2020-448-PM/ZG	Richard Caverly	7064 Curtis Ave	MM-2020-415
2020-449-PM/ZG	Burger King # 1851	7958 US 42	MM-2020-420
2020-450-PM/ZG	Richard Caverly	7064 Curtis Ave	MM-2020-421
2020-451-PM	Gabes Department Store	4874 Houston Road	RD-2020-1

Community Services Superintendent Jeremy Kleier requested the citation for Northern Kentucky Industrial Park Company, 8029 Dixie Highway, be dismissed. Business owner did not know that the family cemetery was on their property and have since worked with Mr. Kleier and have come into compliance. Mr. Kleier requested the case be reopened. Mr. Spille motioned to reopen the case. Mr. Rowland followed with a second. **Motion was carried by unanimous vote.** Mr. Spille motioned to dismiss the case. Mr. Rowland followed with a second. **Motion was carried by unanimous vote.**

CONTINUED CASE (3):

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 received an update from Mrs. Gillon on Tuesday and downspout has been. Once the weather warms, other repairs will be completed. All materials have been purchased.

Debra Gillon appeared and stated she and her husband were prepared to complete the repairs, however, the shingles were frozen to the roof and they need the weather to warm up in order to make the necessary repairs. Once the weather warms enough, repairs will be completed. Mrs. Gillon requested additional time to complete the repairs.

Mr. Rowland motioned to continue the case until the February 3, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

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Continued Case #2020-341-PM/ZG
7410-7415 Eagle Creek Court
Contested by Gina Smith

City of Florence vs. Dutch Properties, Inc.
Multiple Citations

Officer Macaluso presented the case as follows and stated they are waiting on the landscaping to be completed. Nothing has been planted. Dutch Properties has submitted a revision to Boone County Planning Commission. Also, during the most recent inspection, Officer Macaluso observed that the culvert pipes remain on the ground behind the apartment buildings.

Gina Smith and John Sedenberg appeared on behalf of Dutch Properties, LLC. Mr. Sedenberg stated he took over the maintenance position with Dutch Properties a year ago and was never informed of the ongoing code enforcement issues with the property. Furthermore, their office has been closed since March due to COVID-19; therefore, they had not received any notifications prior to the first citation being posted on the front door. Mr. Sedenberg stated they have been working on getting the repairs completed as quickly as possible. They are waiting on confirmation from Boone County Planning Commission to start the landscaping. They also have a construction company working on a retaining wall and that construction company is going to dispose of the culvert pipes. They tried to get rid of the culvert pipe themselves; however, it was not possible. Mr. Sedenberg requested additional time to have all the repairs completed and the new site plan finalized.

Mr. Spille motioned to continue the case until the March 3, 2021 hearing. Mr. Rowland followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2020-65-PM
205 Kentaboo Ave.

City of Florence vs. Caitlin Roberts
Multiple Citations

Officer Macaluso presented the case as follows: Inspected property on Monday, some repairs have been made, there is one fascia board and one piece of trim missing.

Caitlin Roberts appeared and stated they needed to put chicken wire in the hole to keep the raccoons out of the eaves, which is causing the problems. Ms. Roberts requested additional time to complete the repairs.

Mr. Howard motioned to continue the case until the February 3, 2021 hearing. Mr. Sharp followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:

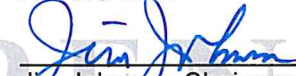
Attorney Hugh O. Skees advised no new developments on any litigation to report.

ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on February 3, 2021

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 Spille. **Motion passed with unanimous approval of the Board**, the time being 10:39 a.m.

APPROVED:


Jim Johnson, Chairman

ATTEST:


Melissa Kramer, Secretary