



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, JANUARY 4, 2023**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, January 4, 2023 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: Jim Johnson, Chairman; David Spille; Lance Howard; and Bill Sharp. Board Member Rick Rowland was absent.

Also present: Thomas Nienaber, Assistant City Attorney; Brandi Roundtree, Assistant City Clerk; Jeremy Kleier, Community Services Superintendent; Jacob Carpenter, Code Enforcement Officer; Rodney Deno, Code Enforcement Officer; Mike Macaluso, Code Enforcement Officer; Randy Childress, Fire Marshal; and Kevin Duncan, Police Officer.

In the audience: Chris Johnson, contested case; Chris Eubank, contested case; Gina Smith, continued case; John Sedenberg, continued case; and Joel Rose, contested case.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the December 7, 2022 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 (2):

**Contested Case #2022-182-OC
7269 Turfway Road
Contested by: Mohammad Ahmed**

**City of Florence vs. Mike's Fish & Chicken Turfway
Multiple Citation**

Officer Macaluso presented the case as follows: No one appeared on behalf of Mike's Fish and Chicken Turfway and the property is not in compliance. Board Member Sharp motioned to uphold all citations. Board Member Howard followed with a second. **Motion carried by unanimous vote.**

**Contested Case # 2022-1-FP
7430 Industrial Road
Contested by: Chris Johnson & Chris Eubank**

**City of Florence vs. Recycling Express/Induspro LLC
Multiple Citations**

Fire Marshall Randy Childress presented the case as follows: Business began operations in 2010. Part of the facility is a storage facility for Holland Roofing. The other part of the facility is a recycling facility for paper products. Many inspections have been completed over the years. On 9/30/22, Occupational Safety and Health Association (OSHA) completed an inspection and lodged a complaint with the City of Florence regarding the conditions at the facility. Therefore, inspection was initiated by the City of Florence, Boone County Building Inspector, an electrical inspector, and a City of Florence Code Enforcement Officer.

During the inspection, the following violations were discovered: There are violations with the egress paths - no clear paths or exits are marked; the exit discharge is blocked; the signage is very hard to see; the product is stacked very high, almost to the ceiling in places; some of the storage arrangements are falling over onto themselves, which could fall on someone. Coolers were built in the Holland Roofing area without a permit and it appears the sprinkler system

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was removed and not replaced. Exit doors are not marked; interior exit door are blocked; exit door hardware in disrepair; steps are falling apart; ceiling tiles are missing; and exit paths are blocked. The fire alarm panel was in alarm mode and there were obstructions in front of the panel. The enunciator was in disrepair.

One of the bigger issues is the twelve foot tall combustible storage. Concerns with the sprinkler system and capability of handling. Owners were instructed to have sprinkler contractor provide a report of the design criteria to see if the sprinkler is capable of handling the stacked storage. A building built inside of the building itself without permits and no inspection. When the interior building was built, the sprinklers were removed and the electric had no permits or inspections. Exterior damage to the building and extension cords are being utilized in an unsafe manner. Open electrical junction boxes with damaged electrical components and open fuse boxes. It is very difficult to get around the building due to the number of trucks being stored on the property and the amount of product being stored in the back of the building. Some of the product is stacked almost as high as the building. Additionally, fire extinguishers are missing from the storage locations and are placed throughout the building. During the inspection, Fire Marshal Childress was informed fires were not put out with the extinguishers. During the inspection, noted improperly stored fuel tanks, open fuel pan, which corresponds with an incident report where an electrical line fell into an open fuel and caused a fire, storage tank with an unsecured compressor, another unlabeled storage tank that appears to have pink inside of the tank, the knob of the tank is leaking and needs to be replaced or repaired.

OSHA examined the excessive dust accumulation, dust and debris inside the outside of the plant. A dust control plan is needed due to the combustibility and health issues related to the dust. Housekeeping is in need; however, efforts are unsuccessful.

During the inspection, 26 violations were cited. A follow up inspection was completed on 12/22/22. Half of the violations were repaired. Fire Marshall Childress stated significant effort was made to complete electrical repairs, exit lighting, and emergency lighting. Product storage was improved inside the building. However, the product was moved outside which creates property maintenance issues. Boone County Building Department has not issued a permit to complete an inspection on the interior building that was built or the coolers that were installed without permits or inspections. OSHA has opened two investigations. We have had multiple calls for false alarms and more than one fire reported for equipment on fire.

Code Enforcement Officer Macaluso stated he accompanied Fire Marshall Childress to the inspection of the premises on 9/30. During inspection, observed 26 violations, some mirrored violations observed by Fire Marshal Childress. Violations include abandoned sign support structure in the front of the property, excessive trash and debris throughout the property, several unlicensed disabled vehicle, numerous broken windows, illegal storage of RV and storage trailers throughout the property, vehicles on the grass, protective treatment which includes peeling and flaking paint, rust and corrosion, multiple potholes in parking lot and driveway, sidewalks in disrepair, high weeds and grass on exterior of property and up against the property, occupational license violation, striping and signage in parking lot, commercial vehicles trailers and equipment stored, exteriors doors in disrepair, overhangs/extensions in disrepair, accessory structure in disrepair, exterior walls in disrepair, handrails and guards in disrepair or missing, illegal discharge, damaged or clogged storm drains, fence in disrepair, unsafe equipment and areas on property, exterior lighting in disrepair, graffiti, landscaping condition which includes dead or missing trees and/or landscape weeds, and Best Way Dumpster on site.

Currently, all violations are not in compliance with the exception of the landscaping. Five citations have been issued. Typically, we do not issue citations when a person contests; however, due to the severity and inability to fix this property, Officer Macaluso stated he elected to continue to issue citations on a weekly basis.

Five citations issued by Officer Macaluso total \$27,400.00, with citations issued by Fire Marshal Childress the total of all fines is \$31,300.00.

Officer Macaluso stated he received communication from the property manager regarding the trash and debris and they have made an attempt to pick up some. However, the trash that was picked up is already beginning to accumulate during an inspection completed prior to the meeting.

Officer Macaluso spoke with Mr. Eubank and explained the violations. Mr. Eubank stated he would try to complete all repairs. During follow up inspection, Officer Macaluso noted little to no progress. The trailers with graffiti come from different areas and is difficult to regulate. All but one of the disabled vehicles have been moved off of the grass to a paved service. The Occupational License has been submitted for review. All other violations have not been corrected.

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Board Member Howard inquired as to the owners of the property. Officer Macaluso stated the property is owned by Induspro, LLC. Board Member Howard inquired if the property owner has a valid Occupational License to rent space to Holland Roofing. Officer Macaluso confirmed Induspro has a valid Occupational License to rent the space to Holland Roofing.

Chris Eubank and Chris Johnson appeared on behalf of Induspro LLC and Recycling Express.

Mr. Eubank Stated, "Well, first of all, so, when you get these citations, I just want you to look at it from our perspective, you have them tape them on the door. You have a long list of stuff here. Some of the stuff I can obviously figure out, you know, some of it I can't. Mr. Johnson here made multiple attempts to kind of communicate with Mike and Susan, my CFO also talked to him... We thought we were working on the list and we were doing a good job moving in the right direction. Keep in mind, we are fighting multiple fronts here. The Fire Department called OSHA on us for both of our properties."

Fire Marshall Childress stated the Fire Department did not call OSHA.

Mr. Eubank continued "OSHA is inspecting both of our properties. We had an accident. We have this gentleman on us, the building inspector. Our safety department is a girl that works as a CSR. So, you know, we have limited resources. So, I called Mike last week and I said hey, what's on this list, let's go down it line by line and he was very helpful. So, really, last week, is really when I knew what he was telling me wasn't happening. Some of the stuff, I know. I mean, we always need to be cleaner, you know. We are a recycling company, they are generally not the prettiest things in the world. We do realize that we do need to be cleaner and more organized so we understand that part of it. He went down line by line. The minute he gave me that we started on everything. The downside was the weather hit us. Most of the activity he wants done is outside. So, we are working on it. We are painting everything. We are cleaning everything. We hauled off... seven pieces of dead equipment at this point. We are here to 100 percent to cooperate. We are not trying to do anything but, you know, if you don't know what this list stands for. When you read some of this stuff you just don't know what it means, he knows what it means but I don't. So, you know, after I talked to him and he was kind enough to give me all of the information. We are working on everything on this list... I would suggest, me personally, if you want something fixed, just tell me and I will fix it. It says every window/skylight shall be kept in sound condition/ good repair with a weather tight glazing materials. I'll be honest, I had no idea what that is."

Mr. Eubank explained a wind storm 4-5 years ago blew some of the windows out. The windows were on the Holland side. Mr. Eubank was unaware until Officer Macaluso explained. Board Member Spille inquired whether the water came in when it rained. Mr. Eubank replied, no, the whole is filled, just not with a window. There is a metal plate.

Board Member Spille inquired with regard to his willingness to cooperate. Mr. Eubank stated they were. However, Board Member Spille noted that was not their record. Fire Marshall Childress stated the Fire Department has had 14 inspections since the company opened with 118 violations. Mr. Johnson stated he believed they had corrected 80% and had documentation and pictures. Officer Macaluso did not agree with Mr. Johnson's statement. Board Member Spille did not agree either with Mr. Johnson's statement and regarding to compliance.

Officer Macaluso stated "Sir, let me ask you a question. Myself and Randy walked the property on September 30th and your colleague was with us. That same day I sent you a courtesy notice outlining the violations. On that courtesy notice had name, my phone number, and my email. Did you or did you not receive that first courtesy notice?"

Mr. Eubank replied "yes, we received it."

Officer Macaluso asked "Did you call me?"

Mr. Eubank replied "no, in hindsight, I should have. To be honest with you, I thought we had communication going here...between you and Mr. Johnson. Apparently, we were way off base."

Officer Macaluso asked "So, November 21st, I issued the first citation. Did you receive that?"

Mr. Eubank replied "yes, sir."

Officer Macaluso stated "my phone number, my name, my email... did you call me then?"

Mr. Eubank replied "no, I didn't. But my counterpart did, Susan."

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Officer Macaluso asked "On December 12th, I sent the secondary courtesy notice because there was some confusion. Did you receive that?"

Mr. Eubank replied "I am going to assume we did..."

Officer Macaluso stated "My question is, if you were confused, why did it take you until last week to call me for clarification?"

Mr. Johnson stated "I called and asked..."

Officer Macaluso stated "And I tried to clear it up with you. And you walked with me. My problem is, you guys keep saying you are confused. I don't know what more to do. I spent four hours on your physical property walking. We sent you two courtesy notices, I cited you five time. I don't know what more to do for you besides going out there and fixing it myself."

Board Member Howard stated "I am still confused on the ownership of these businesses and the building."

Officer Macaluso stated "So, Hans Philippo, correct me if that is his name, and this gentleman here have, I'm going to assume it's a partnership, they own it in conjunction with one another."

Board Member Howard inquired "They own the building or the recycling business."

Officer Macaluso stated "So, they own the building."

Board Member Howard stated "Okay, so we are in front of the right person here. Where is Hans? Where is he?"

Officer Macaluso replied "I have never spoke to Hans. I don't know."

Board Member Howard stated "So, these violations OSHA have against the recycling business. Your issues are against the building itself and the condition, correct?"

Fire Marshall Childress stated "That is correct."

Board Member Howard stated "So, we are two different things, Holland Roofing has nothing to do with this other than they rent, right? But if they are renting, aren't they supposed to keep their area secure as well?"

Fire Marshall Childress answered "Correct, it's all one system... The sprinkler system is not, it's all one system for the entire building. It's not split up. The fire alarm is one entire system for the building. These are systemic issues. I'll be very honest, I have been a fire fighter for a long time, going on 30 years. This is the most dangerous building I have ever seen. And I have serious concerns about the people working there, serious concerns about, in the event of an emergency responders going into the building. Unfortunately, a man lost his life due to an industrial accident. That is not a direct fire code issue. That is in OSHA issue but that is a wakeup call."

Board Member Spille stated "The building owners are responsible for emergency egress, fire safety. That's the owners, not the renters. So, the owners of the building are responsible for all life safety issues in the building."

Officer Macaluso added "the city of Florence is holding the property owner responsible. We are not holding Recycling Express, per se, we are holding the property owner. It kind of bleeds over because he is part owner. It would be Induspro who would ultimately responsible."

Board Member Spille continued "they are responsible for their tenants. If their tenants aren't doing what The building egress pass through the building should be on the owner."

Board Member Howard inquired "Do we have the capability of shutting this business down until all violations are fixed?"

Officer Macaluso replied "I do not have that capability but I am willing to make a recommendation for you gentlemen if you like."

Board Member Howard replied "I'd entertain any recommendation that you have."

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Officer Macaluso stated "I make a recommendation that we uphold all fines. I continuously cite the property until our February board meeting. At the February board meeting, if there is not 100% compliance, I will be making a recommendation to send this to city council."

Fire Marshall Childress added "I would second that."

Board Member Spille made a motion to uphold all citations and if the case is not in 100% compliance at the February Hearing, he recommends the case come before the board for a recommendation for foreclosure. Board Member Howard followed with a second. Chairman Johnson requested a Roll Call Vote. Board Member Johnson, yes; Board Member Spille, yes; Board Member Sharp, yes; Board Member Howard, yes. **Roll call recognized four yes votes. Motion passes.**

PARKING CASES: (6) PAID (0)

| Case No. | City of Florence vs. | Citation Location | Citation No. |
|-------------|----------------------|----------------------|--------------|
| 2022-105-PC | Kelly Reynolds | Summer Place | 119 |
| 2022-106-KS | Jadyn McPherson | 22 Lynn Street | 821 |
| 2022-107-KS | Zoran Rokvic | 7747 Mall Road | 822 |
| 2022-108-HJ | Kar Shruti | 1012 Hunter Allen | 2035 |
| 2022-109-CB | Britney Jacobs | 1213 Airview Drive | 2762 |
| 2022-110-CB | Henry Avila | 8557 Winthrop Circle | 2763 |

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

ANIMAL CONTROL CASES: (0) None

OCCUPATIONAL LICENSE CASES: (113) Paid (6)

| Case No. | City of Florence vs. | Citation Location | Citation No. |
|-------------|------------------------------------------------|---------------------------|--------------|
| 2022-759-OC | Better Blend | 8129-8187 Mall Road | 22-1459-2 PD |
| 2022-760-OC | Mall Road Dental Center | 8197 Mall Road | 22-1468-2 |
| 2022-761-OC | Sowavy Records | 6616 Dixie Highway | 22-2134-1 |
| 2022-764-OC | Surge | 8045-8133 Connector Drive | 22-1409-3 |
| 2022-765-OC | Jo Ann Fabric and Crafts | 83-87 Spiral Blvd. | 22-1441-4 PD |
| 2022-766-OC | Seven Hills OB/GYN Associates Inc. | 7348 US 42 | 22-1664-3 |
| 2022-767-OC | Embrace Dental Care PLLC | 8544 US 42 | 22-1748-2 |
| 2022-768-OC | Bennett & Bloom Eye Center | 6905 Burlington Pike | 22-1750-2 |
| 2022-769-OC | The Master's Martial Art's Academy, Inc. | 8400-8414 US 42 | 22-1757-2 PD |
| 2022-770-OC | Amy Gardner DBA Tranquil Palms | 1515 Cavalry Drive | 22-1912-3 |
| 2022-771-OC | Tram Properties LLC | 7911 Mall Road | 22-1917-3 |
| 2022-762-OC | J&L Furniture | 7851 Tanners Lane | 22-273-4 |
| 2022-763-OC | Mike's Fish & Chicken Turfway | 7269 Turfway Road | 22-308-7 |
| 2022-772-OC | Revisions Development Company | 4895 Houston Road | 22-2039-1 |
| 2022-773-OC | Kentucky Botanical Co. | 264-266 Main Street | 22-2041-1 |
| 2022-774-OC | CHCT Kentucky | 47-49 Cavalier Blvd. | 22-2042-1 |
| 2022-775-OC | Dothan Security Inc. dba DSI Security Services | 2505 Ted Bushelman Blvd. | 22-2044-1 |
| 2022-776-OC | Family First Vision Care KY | 7623-7627 Mall Road | 22-2070-1 |
| 2022-777-OC | Houston Shoppes - One LLC | 6805 Houston Road | 22-2072-1 |
| 2022-778-OC | Big Blue Moving | 71-75 Cavalier Blvd | 22-1220-2 |
| 2022-779-OC | Ycosk LLC | 7525 Industrial Road | 22-1878-2 |

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|--------------------|---------------------------------------------|----------------------------|---------------------|
| 2022-780-OC | Samantha Grove Counseling LLC | 7000 Houston Road | 22-1911-2 |
| 2022-781-OC | Phenix Salon Suites | 1035 Vandercar Way | 22-1920-2 |
| 2022-782-OC | Nothing Bundt Cake | 4960 Houston Road | 22-1921-2 |
| 2022-783-OC | Allied Communications Corp. DBA Boos Mobile | 6700-6704 Dixie Highway | 22-1930-2 |
| 2022-784-OC | Than Tom Q | 6500 Dixie Highway | 22-1931-2 |
| 2022-785-OC | RSK Properties LLC | 7333 Burlington Pike | 22-1935-2 |
| 2022-786-OC | Preservation Management Inc. | 100 Christian Drive | 22-2031-1 |
| 2022-787-OC | Litas Tacos LLC | 8450 US 42 | 22-2032-1 PD |
| 2022-788-OC | Sleep Outfitters USA LLC | 7690 Mall Road | 22-2033-1 |
| 2022-789-OC | My Guy Auto Repair | 7525 Industrial Road | 22-2034-1 |
| 2022-790-OC | Take 5 Oil Change | 8114 US 42 | 22-2037-1 |
| 2022-791-OC | Encore Rehabilitation Services LLC | 6975 Burlington Pike | 22-2047-1 |
| 2022-792-OC | Heritage Cincinnati Insurance Agency LLC | 7000 Houston Road | 22-2057-1 |
| 2022-793-OC | Caliber Collision Centers | 5980 Merchants Street | 22-2059-1 |
| 2022-794-OC | Stap Industries | 8136-8188 Mall Road | 22-2061-1 |
| 2022-795-OC | HR Painting and Remodeling | 71-75 Cavalier Blvd | 22-1146-1 |
| 2022-796-OC | Undisputed Trucking | 71-75 Cavalier Blvd | 22-1147-1 |
| 2022-797-OC | Evexia Group, LLC | 71-75 Cavalier Blvd | 22-1148-1 |
| 2022-798-OC | William F. Mitchell | 71-75 Cavalier Blvd | 22-1149-1 |
| 2022-799-OC | Toubl Contracting Inc. | 71-75 Cavalier Blvd | 22-1150-1 |
| 2022-800-OC | Tequila Housley | 71-75 Cavalier Blvd | 22-1151-1 |
| 2022-802-OC | Wintersheimer and Associates | 71-75 Cavalier Blvd | 22-1156-1 |
| 2022-803-OC | Lewis Tree Services, Inc. | 71-75 Cavalier Blvd | 22-1159-1 |
| 2022-804-OC | Pest Guard | 71-75 Cavalier Blvd | 22-1161-1 PD |
| 2022-805-OC | Luxe Nail Care | 71-75 Cavalier Blvd | 22-1162-1 |
| 2022-806-OC | Titan Mechanical | 71-75 Cavalier Blvd | 22-1163-1 |
| 2022-807-OC | Integrity Concepts | 71-75 Cavalier Blvd | 22-1164-1 |
| 2022-808-OC | Independence Turner | 71-75 Cavalier Blvd | 22-1165-1 |
| 2022-809-OC | Daniel Schafer | 71-75 Cavalier Blvd | 22-1169-1 |
| 2022-810-OC | Didier Diakandulu | 71-75 Cavalier Blvd | 22-1171-1 |
| 2022-811-OC | Top Quality Service Realty | 71-75 Cavalier Blvd | 22-1172-1 |
| 2022-812-OC | Joe Mangiafico | 71-75 Cavalier Blvd | 22-1175-1 |
| 2022-813-OC | Todd Breckel | 71-75 Cavalier Blvd | 22-1176-1 |
| 2022-814-OC | Padgett Business Service | 71-75 Cavalier Blvd | 22-1180-2 |
| 2022-815-OC | The TCG Vault | 71-75 Cavalier Blvd | 22-1182-2 PD |
| 2022-816-OC | La Oficina LLC | 71-75 Cavalier Blvd | 22-1185-1 |
| 2022-817-OC | Allied Universal | 71-75 Cavalier Blvd | 22-1186-2 |
| 2022-818-OC | Aegis Legacy Advisors LLC | 71-75 Cavalier Blvd | 22-1187-1 |
| 2022-819-OC | A&A Ultimate Massage | 71-75 Cavalier Blvd | 22-1192-1 |
| 2022-820-OC | Cortech | 71-75 Cavalier Blvd | 22-1193-1 |
| 2022-821-OC | Hankyu Cargo | 71-75 Cavalier Blvd | 22-1194-2 |
| 2022-822-OC | Ruth Hussey | 71-75 Cavalier Blvd | 22-1201-2 |
| 2022-823-OC | Sky Star LLC | 71-75 Cavalier Blvd | 22-1202-2 |
| 2022-824-OC | Adam Marit | 71-75 Cavalier Blvd | 22-1205-2 |
| 2022-825-OC | SLR International Corp. | 71-75 Cavalier Blvd | 22-1207-2 |
| 2022-826-OC | K. Marie Beauty | 71-75 Cavalier Blvd | 22-1208-1 |
| 2022-827-OC | Loc Nguyen | 71-75 Cavalier Blvd | 22-1211-2 |
| 2022-828-OC | Ben Schwartz & Sons | 71-75 Cavalier Blvd | 22-1214-2 |
| 2022-829-OC | Royal Prestige | 71-75 Cavalier Blvd | 22-1215-1 |
| 2022-830-OC | Cortaggio | 71-75 Cavalier Blvd | 22-1236-2 |

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|-------------|-------------------------------------------------------|-------------------------|-----------|
| 2022-831-OC | United Steel Workers | 71-75 Cavalier Blvd | 22-1239-1 |
| 2022-832-OC | Lendkey Technologies, Inc. | 71-75 Cavalier Blvd | 22-1241-1 |
| 2022-833-OC | Necco, Inc. | 71-75 Cavalier Blvd | 22-1244-2 |
| 2022-834-OC | Kristina Ashley | 71-75 Cavalier Blvd | 22-1248-1 |
| 2022-835-OC | Cutler Real Estate | 71-75 Cavalier Blvd | 22-1249-2 |
| 2022-836-OC | Sanitation Specialist | 71-75 Cavalier Blvd | 22-1284-1 |
| 2022-837-OC | SBHR | 71-75 Cavalier Blvd | 22-1285-2 |
| 2022-838-OC | Sunstate Security | 71-75 Cavalier Blvd | 22-1288-1 |
| 2022-801-OC | Siearra Devers/Misty Loughnane | 71-75 Cavalier Blvd | 22-1553-1 |
| 2022-839-OC | Chiropractic Family Wellness | 7276 Burlington Pike | 22-1544-2 |
| 2022-840-OC | United Household Rental Inc. (UHR Rent) | 7107-7129 Turfway Road | 22-1546-3 |
| 2022-841-OC | Bridge Point Propco LLC | 7300 Woodspoint Drive | 22-1547-3 |
| 2022-842-OC | Advance U Cash, Inc. | 4951-4997 Houston Road | 22-1548-3 |
| 2022-843-OC | Select Comfort Retail Corp. | 6785 Houston Road | 22-1558-3 |
| 2022-844-OC | Chill Out Nutrition | 7220 Burlington Pike | 22-1573-3 |
| 2022-845-OC | Party City Corp | 7646 Mall Road | 22-1641-4 |
| 2022-846-OC | Rent A Center | 8032 Burlington Pike | 22-1642-4 |
| 2022-847-OC | Chester Dix Florence Corp. c/o Remke Market | 6920 Burlington Pike | 22-1662-4 |
| 2022-848-OC | Turfway BaceLine LLC | 7102-7120 Turfway Road | 22-1710-4 |
| 2022-849-OC | Locust Lane Apartments LLC | 210-256 Locust Ave. | 22-1711-4 |
| 2022-850-OC | Belladance, LLC | 8605 Haines Drive | 22-1743-2 |
| 2022-851-OC | AllStar Staffing LLC | 6900 Houston Road | 22-1759-2 |
| 2022-852-OC | Tritech Software Systems | 11 Spiral Drive | 22-1760-2 |
| 2022-853-OC | Real Estate Development LLC | 7631-7639 Dixie Highway | 22-1761-2 |
| 2022-854-OC | Cara Zale LLC | 8020 Burlington Pike | 22-1764-2 |
| 2022-855-OC | TD Global Properties LLC | 8383 US 42 | 22-1765-1 |
| 2022-856-OC | ILOVEKICKBOXING.COM | 8537 US 42 | 22-1771-3 |
| 2022-857-OC | President Tuxedo | 7659-7747 Mall Road | 22-1776-3 |
| 2022-858-OC | H&R Block | 7273 Turfway Road | 22-1783-3 |
| 2022-859-OC | H&R Block | 8460-8470 US 42 | 22-1784-3 |
| 2022-860-OC | H&R Block | 8136-8188 Mall Road | 22-1785-3 |
| 2022-861-OC | Advantage Roofing | 71-75 Cavalier Blvd | 22-1183-2 |
| 2022-862-OC | Payton Schulkers dba Colsen Ire Salon & Style Lounge) | 7606-7654 Mall Road | 22-1314-3 |
| 2022-863-OC | Better Blend | 8129-8187 Mall Road | 22-1459-3 |
| 2022-864-OC | Dragons Hoard | 8129-8187 Mall Road | 22-1463-4 |
| 2022-865-OC | Mall Road Dental Center | 8197 Mall Road | 22-1468-3 |
| 2022-866-OC | Staples The Office Superstore | 7659-7747 Mall Road | 22-1479-3 |
| 2022-867-OC | The Tile Shop, LLC | 7606-7654 Mall Road | 22-1504-4 |
| 2022-868-OC | Village at the Mall Holdings LLC | 7606-7654 Mall Road | 22-1511-2 |
| 2022-869-OC | Taco Bell | 7619 Mall Road | 22-1520-3 |
| 2022-870-OC | Taco Bell | 6724 Dixie Highway | 22-1521-3 |
| 2022-871-OC | Taco Bell | 8526 US 42 | 22-1522-3 |

Officer Macaluso requested Case No. 22-833-OC, Citation No. 22-1244-2 issued to Necco, Inc. located at 71-75 Cavalier Blvd., Florence, Kentucky be dismissed. Board Member Howard motioned to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Officer Macaluso requested Case No. 2022-822-OC, Citation No. 22-1201-2 issued to Ruth Hussey located at 71-75 Cavalier Blvd., Florence, Kentucky be dismissed. Board Member Sharp motioned to dismiss the citation. Board Member Howard followed with a second. **Motion carried by unanimous vote.**

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Officer Macaluso informed the Board that Case No. 2020-397-ZG, Florence DG, LLC that was continued to the May hearing is now in compliance. All citations and fees have been paid and the case is now closed and will not need to be heard at the May hearing.

FIRE PREVENTION CASES: (1) Paid (0)

| Case No. | City of Florence vs. | Citation Location | Citation No. |
|-----------|----------------------|----------------------|--------------|
| 2022-2-FP | Recycling Express | 7430 Industrial Road | RSC-2022-02 |

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (25) Paid (1)

| Case No. | City of Florence vs. | Citation Location | Citation No. |
|-------------------------|------------------------------------|----------------------------------|--------------------|
| 2022-400-NU/PM/ZG/OC/CO | Induspro LLC | 7430 Industrial Road | 22-1951-2 |
| 2022-401-NU/PM/ZG | Estate of Marilyn J. Foltz | 10 Valley Drive | 22-359-28 |
| 2022-402-NU | Estate of Marilyn J. Foltz | 10 Valley Drive | 22-670-13 |
| 2022-403-PM/ZG | WEC 99J-31 LLC | 6801 Dixie Highway | 22-1660-2 |
| 2022-404-SW | Paddock Club II LLC | 8000-9200 Preakness Drive | 22-451-1 PD |
| 2022-405-NU/SW | True Storage Florence Kentucky LLC | 8145 Mall Road | 22-452-2 |
| 2022-406-ZG | Christopher Greer | 2 Tee Street | 22-2149-1 |
| 2022-407-NU/PM/ZG/OC/CO | Induspro LLC | 7430 Industrial Road | 22-1951-3 |
| 2022-408-NU | Turfway Baseline LLC | 7102-7120 Turfway Road | 22-2220-1 |
| 2022-409-SW/NU | BRE Retail Residual Owner I LLC | 7800-7932 Connector Drive | 22-280-3 |
| 2022-410-ZG | Pep Boys - Manny Moe & Jack | 832 Heights Blvd. | 22-498-2 |
| 2022-411-NU/ZG | Shihasi KY LLP | 7484-7488 Turfway Road | 22-587-2 |
| 2022-412-OC/ZG | Richard Chamberlain | 9433 Gettysburg Lane | 22-1819-2 |
| 2022-413-NU/PM/ZG/OC/CO | Induspro LLC | 7430 Industrial Road | 22-1951-4 |
| 2022-414-NU | RTD Holdings, LLC | 6303-6307 Clark Street | 22-2256-1 |
| 2022-415-PM | Katherine Darlington | 8333 Tamarack Drive | 22-721-4 |
| 2022-416-ZG | Steak N Shake Operations LLC | 4941 Houston Road | 22-1305-2 |
| 2022-417-NU | Turfway Baseline LLC | 7102-7120 Turfway Road | 22-2220-2 |
| 2022-418-SW/NU | BRE Retail Residual Owner I LLC | 7800-7932 Connector Drive | 22-280-4 |
| 2022-419-ZG | Magna Properties LTD | 7541-7563 Mall Road | 22-2200-1 |
| 2022-420-PM/NU/ZG | Vincent Burns | 26 Julia Ave. | 22-663-8 |
| 2022-421-NU/PM/ZG/OC/CO | Induspro LLC | 7430 Industrial Road | 22-1951-5 |
| 2022-422-CO | Induspro LLC | 7430 Industrial Road | 22-2317-1 |
| 2022-423-PM/ZG | Willard & Shirley McClintock | 10 Kennedy Court | 20-357-15 |
| 2022-422-PM | Willard & Shirley McClintock | 10 Kennedy Court | 22-59-11 |

CONTINUED CASES (4):

Continued Case # 2022-362-ZG
94 Kelley Drive

City of Florence vs. Monica Rice
Citation # 22-1861-1

Officer Carpenter presented the case as follows: Received an email from Monica Rice that she was unable to attend meeting due to work obligations. Officer Carpenter stated the property is in compliance and requested the Board dismiss the citation. Board Member Howard motioned to dismiss the citation. Board Member 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
Represented by: Gina Smith/ John Sedenberg

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

Officer Macaluso presented the case as follows: Last month informed Gina Smith that the city needed to start seeing some progress on the property. Instructed Ms. Smith that the major site plan would need to be paid for as well as all other required permits. Per the Boone County Planning Commission, payments were made, but not in full. Ms. Smith or Mr. Sedenberg will need to submit additional payment

Gina Smith and John Sedenberg appeared on behalf of Dutch Properties.

Board Member Howard inquired if sufficient progress has been made since the previous meeting. Officer Macaluso state the minor site plan has been submitted and the major site plan has been paid for.

Mr. Sedenberg stated he had no idea that there was a shortage on a payment for the permits. Submitted all applications with payments on Tuesday, December 20, 2022. Received submitted site plans this morning from Viox. Once the site plans have been approved, they are ready to start moving dirt.

Board Member Howard stated the case was continued to allow Dutch Properties time to submit payment and permits for approval.

Board Member Spille made a motion to dismiss the case pending resolution of the payment discrepancy and approval of the site plan. Officer Macaluso stated he is unsure as to how long it will take to have an approved site plan. Board Member Spille amended motion to continue case to February meeting and if everything is in compliance, they are not required to appear. Board Member Howard followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2022-267-NU/OC/PM/ZG
320 Center Street

City of Florence vs. Jenny Rice
Multiple Citations

Officer Macaluso presented the case as follows: This property had several violations for RV trailers being stored on the property; trash and debris throughout the property; not in compliance with City of Florence Occupational License; commercial mower being stored on the grass, must be stored on a paved surface; zoning permit and shed is too close to the property line. During the inspection this morning, RV trailer was removed and observed some trash and debris removed. Debris remains under the tree and the front porch. The landscaping has been brought into compliance. In regards to the Occupational License, there is reason to believe he was operating a business out of the home. Mr. Brann stated he is not running a business and without proof that violation is in compliance. High weeds and grass has been resolved for the time being due to the winter. The shed needs to be moved to the approved site.

Steven Brann, appeared via subpoena, and Jenny Rice appeared. Mr. Brann stated he had pictures to be printed. Chairman Johnson informed Mr. Brann there was no capability to print the photos.

Chairman Johnson inquired as to the commercial vehicles on the property. Mr. Brann replied he owns one commercial mower due to the size of the yard and due to the fact that he also maintains his property and his girlfriend's property. Board Member Howard informed Mr. Brann that the mowers are not being stored properly.

Mr. Brann stated he was unable to place the shed on the correct spot on the property due to an easement and runoff from the easement. Officer Macaluso stated the correct location of the shed is in the middle of the yard, close to the pool and nowhere near the easement. Discussion was held regarding the correct placement of the shed. Board Member Spille and Board Member Howard informed Mr. Brann that the shed would need to be moved or he would need to obtain a variance to keep the shed in its current place.

Board Member Spille made a motion to uphold all citations. Board Member Sharp followed with a second.

Board Member Howard also informed Mr. Brann that all other violations, such as the trash and debris and the mower not being stored on a paved surface, would also need to be brought into compliance to discuss dismissal or reduction of the fines.

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Board Member Spille amended his motion to continue the case to the February meeting. Board Member Sharp seconded the motion. Chairman Johnson took a vote on the amended motion. **Motion carried by unanimous vote.**

Continued Case # 2022-126-ZG
7529 Sussex Drive
Represented by: Joel Rose

City of Florence vs. Columbia Sussex Properties
Multiple Citations

Officer Deno presented the case as follows: Property is now in compliance. Officer Deno recommended the Board dismiss the citations.

Joel Rose appeared on behalf of Columbia Sussex Properties.

Board Member Spille motioned to dismiss the citations. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

ATTORNEY'S REPORT:

Assistant Nienaber stated City Council recommended for foreclosure and authorized the city to proceed.

10 Valley Drive, the Judge requested copies of all liens filed against the property. All the liens were submitted and filed with the court.

ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on February 1, 2023.

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 11:02 a.m.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman