



CODE ENFORCEMENT BOARD MINUTES: WEDNESDAY, MAY 3, 2023

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, May 3, 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 five (5) Board members: Jim Johnson, Chairman; Rick Rowland; David Spille; Lance Howard (Vice-Chairman); and Bill Sharp.

Also present: Thomas R. 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; and Ki Ransdall, Police Officer.

In the audience: Tim Leatherman, contested case; Robert Kirkwood, contested case; Jenny Rice, contested case; Mohammed Ahmed, contested case; Greg Gilliam, contested case; Ann Miller, attorney for Tower Place Properties; Phyllis Mauntel, continued case; and Julie Lux, resident of Florence.

APPROVAL OF MINUTES:

Chairman Johnson called for a motion to approve the minutes of the April 5, 2023 meeting of the Code Enforcement Board. Board Member Sharp motioned to accept the minutes as read with a second from Board Member Howard. Chairman Johnson and Board Member Spille were absent from the April 5, 2023 meeting and abstained from the vote. The Board approved 4-0 with abstention from Board Member Spille.

ELECTION OF CODE ENFORCEMENT CHAIRMAN AND VICE CHAIRMAN:

Assistant City Attorney Thomas R. Nienaber opened the floor for nominations to fill the 2023-2024 office of Chairman of the Code Board. Motion was made by Board Member Rowland to nominate Jim Johnson as Chairman followed by a second from Board Member Spille. **Motion carried by unanimous vote.**

Assistant City Attorney Thomas R. Nienaber then opened the floor for nominations to fill the Vice Chairman position. Motion was made by Rick Rowland to nominate Lance Howard followed by a second from Board Member Spille. **Motion carried by unanimous vote.**

SWEARING IN:

The Code Enforcement Officers were sworn in by Chairman Johnson.

CONTESTED CASES (4):

Contested Case # 2023-58-ZG
320 Center Street
Contested by: Jenny Rice

City of Florence vs. Jenny Rice
Multiple Citations

Officer Macaluso presented the case as follows: Case had previously been heard by the Code Enforcement Board. Case began in 2021 and citations were upheld at the February Code Enforcement Board Meeting in the amount of \$3,188.00, including \$138.00 in city expenses due to Ms. Rice failing to appear. Two additional citations in the amount of \$650.00 have been issued since the case was upheld.

An inspection was completed prior to the meeting. Officer Macaluso observed trailers had been removed; trash and debris was removed; and the permit for the shed has been received. Violations associated with the citations are in compliance.

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A new case was opened regarding trash and debris; however, no citations have been issued.

Jenny Rice appeared and stated her son moved and removed his trailers. Although he brings the trailer back occasionally to move more of his belongings out of the house.

Board Member inquired with regard to the previous citations being upheld. Officer Macaluso clarified the citations before the board at this time are new citations that were issued after the case was upheld at the February meeting. Officer Macaluso stated that if the board would like to reassess the previously upheld citations, the board would need to motion to open the previous case. Chairman Johnson confirmed.

Board Member Rowland made a motion to reopen the previous case. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Board Member Howard made a motion to dismiss the citations in the amount of \$650.00. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

Board Member Sharp made a motion to dismiss the previously upheld citations in the amount of \$3,050.00 but uphold the city expense in the amount of \$138.00. Board Member Rowland followed with a second. **Motion carried by unanimous vote.** Chairman Johnson requested a Roll Call Vote. Board Member Johnson, yes; Board Member Spille, yes; Board Member Rowland, yes; Board Member Sharp, yes; Board Member Howard, yes. **Roll call recognized five yes votes. Motion passes.**

Contested Case # 2023-69-ZG
8451 Village Drive
Contested by: Timothy Leatherman

City of Florence vs. Timothy & Darlene Leatherman
Citation # 23-448-1

Officer Carpenter presented the case as follows: Inspection completed on 3/2/23, observed unlicensed/disabled vehicle-vehicle on property with a flat tire, courtesy notice sent. Inspection completed on 3/10/23, additional courtesy notice sent. Inspection completed on 3/28, no change, citation issued. Vehicle has been removed and the property is currently in compliance.

Board Member Rowland made a motion to dismiss the citation. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Contested Case # 2022-391-PM/ZG
8435-8439 US 42
Contested by: Robert Kirkwood

City of Florence vs. Kirkwood Family Preservation Trust
Multiple Citations

Officer Macaluso presented the case as follows: Inspection completed, Officer Macaluso observed overhang extension in disrepair; temporary advertisement display permit not obtained; minor site plan required; accessory structure in disrepair; and sign permit not obtained. The awning was moved from one side of the building to another which requires a permit and a potential minor site plan. Officer Macaluso stated the awning was without the vinyl wrap and now a new sign is up. The new sign is considered advertising and requires a permit.

Six citations have been issued since 11/21/22 totaling \$1,750.00 and four liens have been filed which brings the city expense to \$184.00. Total amount currently due is \$1,934.00. Officer Macaluso stated no permits are on file with the Boone County Planning Commission. Therefore, the property is not in compliance.

Robert Kirkwood appeared on behalf of Kirkwood Family Preservation Trust. Mr. Kirkwood stated he believed that the tenant had applied for a sign permit.

Officer Macaluso stated the tenant had conversations with the county; however, no applications have been filed.

Mr. Kirkwood stated he would follow up with the tenant and believed the awning was in rough shape before the former tenant moved out. When the new tenant moved in, they removed the vinyl wrap from the former tenant and due to supply chain issues, the new sign took approximately four months to be installed.

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Board Member Spille stated the awning being moved is part of the issue. Mr. Kirkwood stated he obtained a building permit when he purchased the building and the permit included moving the awning. Previously, he has always worked with the Boone County Planning Commission and the Building Department to ensure his property is in compliance. The moving of the awning was to have been included in the permit he obtained to redesign the building to accommodate three tenants instead of two.

Board Member Spille stated they are not able to dismiss or reduce any fines until the property is in compliance. Board Member Spille made a motion to continue the case for thirty days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Chairman Johnson inquired if the permit to move the awning would have been part of the building permit Mr. Kirkwood received when he was reconfiguring the building. Officer Macaluso stated it could have been but the county was unable to locate a permit to move the awning when researching the property. Officer Macaluso stated he would follow up with the Boone County Planning Commission. Officer Macaluso asked of Mr. Kirkwood if he had a copy of the permit. Mr. Kirkwood stated he would search his paperwork. If Mr. Kirkwood located the permit Officer Macaluso requested a copy.

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

City of Florence vs. Mike's Fish and Chicken
Multiple Citations

Officer Macaluso presented the case as follows: Case is for an Occupational License violation. Case was opened on 2/10/22, ten citations had been issued. Seven of the citations in the amount of \$1,700.00 were upheld at the January Code Board Meeting due to Mr. Ahmed failing to appear. Three additional citations have been issued in the amount of \$900.00 since the case was upheld. Total amount due is \$2,600. Occupational license is not in compliance.

Mohammed Ahmed appeared on behalf of Mike's Fish & Chicken. Mr. Ahmed stated he was relying on other people to ensure his occupational license was in compliance. He had been working on it and a copy was mailed to the Finance Department. Mr. Ahmed followed up with the Finance Department and was informed the documents had never been received. Mr. Ahmed had his bookkeeper fax the documents to the Finance Department.

Mr. Ahmed was informed by his landlord that citation fees had been paid to the city. Mr. Ahmed paid \$2,500 to his landlord for citation fees. After, he discovered that \$2,000.00 was paid for attorney fees and only \$500.00 was paid toward citation fees by his landlord.

Officer Macaluso stated there may be some confusion with the property. There are two active cases, one for the occupational license and another for a sign violation. The sign violation citations are being issued to the property owner, not the business at that location. Mike's Fish & Chicken has put up illegal LED lights on the sign and the owner is passing along the citations to the business. The sign violation is separate from this case.

Board Member Howard requested confirmation that the only case being discussed today is for the occupational license, not the sign issue. Officer Macaluso confirmed.

Mr. Ahmed provided copies of the documents submitted to the Finance Department to Officer Macaluso for review. Officer Macaluso reviewed the paperwork and stated the paperwork provided is only one part of the paperwork that is required. Additional documents need to be submitted to the Finance Department to bring the occupational license into compliance.

Board Member Spille motioned to continue the case for thirty days. Board Member Howard followed with a second. **Motion carried by unanimous vote.**

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PARKING CASES: (2) PAID (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-15-KS	Drazena Zupan	Dilcrest/ US 42	425
2023-16-TE	Blake Beiting	2174 Algiers	756

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: (80) Paid (4)

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-428-OC	NADG NNN HTRS (KY) LP	7200 Houston Road	23-246-2 PD
2023-429-OC	Unique Hospitality LLC dba Microtel Inn & Suites	7490 Woodspoint Drive	23-247-2 PD
2023-430-OC	Point/ARC of Northern Kentucky Inc.	31 Spiral Drive	23-259-2
2023-431-OC	Christina Griffith	8400-8414 US 42	23-264-2 PD
2023-432-OC	Amy Gardner dba Tranquil Palms	1515 Cavalry Drive	22-1912-6
2023-433-OC	Tom Q. Than	6500 Dixie Hwy	22-1931-3
2023-434-OC	Heritage Cincinnati Insurance Agency LLC	7000 Houston Road	22-2057-3
2023-435-OC	Proparts LLC	5969 Merchants Street	23-240-1
2023-436-OC	SLR International Corp.	71-75 Cavalier Blvd	22-1207-5
2023-437-OC	Fortinet	71-75 Cavalier Blvd	22-1212-3
2023-438-OC	Masterpiece Stratgy	71-75 Cavalier Blvd	22-1213-4
2023-439-OC	Big Blue Moving	71-75 Cavalier Blvd	22-1220-7
2023-440-OC	Cortaggio	71-75 Cavalier Blvd	22-1236-5
2023-441-OC	United Steel Workers	71-75 Cavalier Blvd	22-1239-4
2023-442-OC	Breca Consulting	71-75 Cavalier Blvd	22-1240-3
2023-443-OC	Lendkey Technologies, Inc.	71-75 Cavalier Blvd	22-1241-4
2023-444-OC	Muna Transportation	71-75 Cavalier Blvd	22-1242-3
2023-445-OC	Erin's Nails & Boutique	71-75 Cavalier Blvd	22-1243-4
2023-446-OC	Cutler Real Estate	71-75 Cavalier Blvd	22-1249-4
2023-447-OC	Sanitation Specialist	71-75 Cavalier Blvd	22-1284-3
2023-448-OC	Jason Muzzillo	71-75 Cavalier Blvd	22-1287-1
2023-449-OC	Retirement Security	71-75 Cavalier Blvd	22-1290-3
2023-450-OC	Fidelium Law	73 Cavalier Blvd	23-30-1
2023-451-OC	Ten-X LLC	73 Cavalier Blvd	23-31-1
2023-452-OC	Adnan Mohamed	71 Cavalier Blvd	23-40-1
2023-453-OC	Surveying and Mapping	71 Cavalier Blvd	23-41-1
2023-454-OC	Blue Raven Solar	71 Cavalier Blvd	23-50-2
2023-455-OC	National FCE	73 Cavalier Blvd	23-52-2
2023-456-OC	A Prettier U	75 Cavalier Blvd	23-54-2
2023-457-OC	Blooming Beauty Lounge	75 Cavalier Blvd	23-55-2
2023-458-OC	P S Partners III LTD Florence	7551 Industrial Road	23-192-1
2023-459-OC	Chuck's Heating and Air, Inc.	7521 Sussex Drive	23-235-2
2023-460-OC	PRZ F1, KY LLC	8559 US 42	23-241-2
2023-461-OC	SCF RC Funding IV LLC	77 Spiral Blvd	23-243-2
2023-462-OC	Byrider Sales Acquisition Corp.	6619 Dixie Hwy	23-244-2 PD

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2023-463-OC	Raffertys Real Estate Partner	7379 Turfway Road	23-245-2
2023-464-OC	HCII-68 Cavalier Boulevard LLC	68 Cavalier Blvd	22-229-7
2023-465-OC	HR Painting & Remodeling	71-75 Cavalier Blvd	22-1146-3
2023-466-OC	Toubl Contracting Inc.	71-75 Cavalier Blvd	22-1150-3
2023-467-OC	Tequilla Housley	71-75 Cavalier Blvd	22-1151-3
2023-468-OC	Healthy Markets	71-75 Cavalier Blvd	22-1160-3
2023-469-OC	Integrity Concepts	71-75 Cavalier Blvd	22-1164-4
2023-470-OC	Daniel Schafer	71-75 Cavalier Blvd	22-1169-3
2023-471-OC	Todd Breckel	71-75 Cavalier Blvd	22-1176-3
2023-472-OC	Breckel & Merrick	71-75 Cavalier Blvd	22-1178-3
2023-473-OC	Advantage Roofing	71-75 Cavalier Blvd	22-1183-5
2023-474-OC	Allied Universal	71-75 Cavalier Blvd	22-1186-5
2023-475-OC	Little Sunshine Photography	71-75 Cavalier Blvd	22-1191-3
2023-476-OC	Cortech	71-75 Cavalier Blvd	22-1193-4
2023-477-OC	NKY Chiro Spine & Injury	71-75 Cavalier Blvd	22-1199-4
2023-478-OC	Adam Marit	71-75 Cavalier Blvd	22-1205-5
2023-479-OC	McDonald's Real Estate Company	7909 Dream Street	23-165-1
2023-480-OC	Seva Hospitality Division 1 Inc.	5905 Merchants Street	23-166-1
2023-481-OC	Poseidon's Pizza	8640 Haines Drive	23-169-1
2023-482-OC	7100 Houston Road LLC	7100 Houston Road	23-173-1
2023-483-OC	A E Holdings LLC	7205 US 42	23-175-1
2023-484-OC	JK Management LLC	1501 Cavalry Drive	23-183-1
2023-485-OC	Florence Realty LLC	212 Main Street	23-185-1
2023-486-OC	Ambleside Properties LLC	4512 Dixie Hwy	23-187-1
2023-487-OC	Rent-n-Roll	4512 Dixie Hwy	23-188-1
2023-488-OC	Jose Gualpa	8 Drexel Ave.	22-31-7
2023-489-OC	Fresenium Medical Care Healthcare	7205 Dixie Hwy	22-1735-2
2023-490-OC	Turfway Plaza Associates	7269 Turfway Road	23-138-2
2023-491-OC	Ryan and Junghwa Tokko Revocable Trust	7313 Turfway Road	23-198-2
2023-492-OC	Midas	8220 US 42	23-201-2
2023-493-OC	Max Auto Real Estate LLC	8218 US 42	23-202-2
2023-494-OC	HIS Florence Kentucky LLC	7960 Connector Drive	23-209-2
2023-495-OC	Pachyderm Properties LLC	6843 Dixie Hwy	23-210-2
2023-496-OC	FCPT Hospitality Properties LLC	7501 Foltz Drive	23-281-2
2023-497-OC	Correa Family LLC	7205 Houston Road	21-614-17
2023-498-OC	Locust Lane Apartments LLC	210-256 Locust Ave.	22-1711-7
2023-499-OC	Bear Paddle	4012 Seligman Drive	23-219-2
2023-500-OC	Eshanya Hotels LLC	7928 Dream Street	23-225-2
2023-501-OC	Acute Hearing Solutions	7392 Burlington Pike	23-226-2
2023-502-OC	911 Fleet and Fire Real Estate LLC	11 Lendale Drive	23-229-2
2023-503-OC	Connacht Realty LLC	5885 Merchants Street	23-232-2
2023-504-OC	FD Group 2 LLC	7502 Dixie Hwy	23-312-3
2023-505-OC	PSP Stores LLC DBA Pet Supplies Plus	7659-7747 Mall Road	23-329-2
2023-506-OC	Dollar General	832 Heights Blvd.	23-511-1
2023-507-OC	Family Dollar	7277 Turfway Road	23-512-1

Officer Macaluso requested Case No. 2023-488-OC, Citation # 22-31-1, Citation # 22-31-2, Citation # 22-31-3, Citation # 22-31-4, Citation # 22-31-5, Citation # 22-31-6, and Citation # 22-31-7 be dismissed as the owner is no longer in the country. Board Member Spille motioned to dismiss the citations. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

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FIRE PREVENTION CASES: (1) PAID (0)

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-2-FP	Speedway	7690 Burlington Pike	RSC-2023-02

CITATIONS ISSUED – NO RESPONSE – FINAL ORDER: (49) Paid (2)

Case No.	City of Florence vs.	Citation Location	Citation No.
2023-74-ZG	Home Depot USA	99 Spiral Blvd	21-2711-10
2023-75-ZG	Yestika Arias Martinez	313 Honeysuckle Terrace	23-534-1
2023-76-ZG	Cole Lo Florence KY LLC	4800 Houston Road	23-580-2
2023-77-PM/ZG	Morris Adkins	86 Goodridge Drive	23-520-1
2023-78-NU	Maria Guerra Nolasco	4-6 Chipman Drive	23-457-2 PD
2023-79-PM	Richard & Helen Slade	6 Vivian Drive	23-541-1
2023-80-ZG	Turfway Plaza Associates	7269 Turfway Road	22-862-6
2023-81-ZG	Bernardo De La Cruz Lopez	6603 Dixie Hwy	23-601-1
2023-82-NU	Herma Holdings S C Inc.	100 Meijer Drive	23-125-3
2023-83-ZG	Home Depot USA	99 Spiral Blvd	23-559-2
2023-84-NU/PM/ZG	Charles and Rachel Ritter	109 Lee Street	23-440-1
2023-85-ZG	Home Depot USA	99 Spiral Blvd	21-2711-11
2023-86-ZG	Turfway Plaza Associates	7285 Turfway Road	22-2208-1 PD
2023-87-ZG	Speedway	8240 US 42	23-131-2
2023-88-PM	MAMIK LLC	56-58 Bustetter Drive	23-216-2
2023-89-ZG	Kirkwood Family Preservation Trust	8435-8445 US 42	23-567-1
2023-90-ZG	Cole Lo Florence KY LLC	4800 Houston Road	23-580-3
2023-91-NU	Oscar Frye IV	8481 Pheasant Drive	22-2196-4
2023-92-ZG	Yestika Arias Martinez	313 Honeysuckle Terrace	23-534-2
2023-93-NU/PM/SW	Sunnybrook Farms Subdivision Homeowners	9156 Susie Drive	23-350-2
2023-94-ZG	Landings Properties Leasing LLC	76 Miriam Drive	23-500-1
2023-95-ZG	Bernardo De La Cruz Lopez	6603 Dixie Hwy	23-601-2
2023-96-ZG	Turfway Plaza Associates	7269 Turfway Road	22-862-7
2023-97-ZG	Home Depot USA	99 Spiral Blvd	23-559-3
2023-98-PM/ZG	Morris Adkins	86 Goodridge Drive	23-520-2
2023-99-ZG	Home Depot USA	99 Spiral Blvd	21-2711-12
2023-100-NU	Herma Holdings S C Inc.	100 Meijer Drive	23-125-4
2023-101-ZG	Spirit SPE Portfolio 2004-6 LLC	7843 US 42	23-436-1
2023-102-PM/ZG	Turfway Baseline LLC	7102-7120A Turfway Road	23-266-1
2023-103-ZG	Yestika Arias Martinez	313 Honeysuckle Terrace	23-534-3
2023-104-ZG	Nichole Bennett	8446 Winthrop Place	23-446-2
2023-105-NU/PM/SW	Vertex Professional Group	9156 Susie Drive	23-350-3
2023-106-PM	Richard & Helen Slade	6 Vivian Drive	23-541-2
2023-107-ZG	Bernardo De La Cruz Lopez	6603 Dixie Hwy	23-601-3
2023-108-PM	Houston Shoppes - One LLC	6805 Houston Road	22-1489-1
2023-109-ZG	Home Depot USA	99 Spiral Blvd	23-559-4
2023-110-ZG	Cole Lo Florence KY LLC	4800 Houston Road	23-580-4
2023-111-NU/PM	PRZ F1, KY LLC	8559 US 42	23-653-1
2023-112-ZG	Turfway Plaza Associates	7269 Turfway Road	22-862-8
2023-113-ZG	Home Depot USA	99 Spiral Blvd	21-2711-13
2023-114-NU	Herma Holdings S C Inc.	100 Meijer Drive	23-125-5
2023-115-NU/PM/ZG	Vincent Burns	26 Julia Ave.	22-663-12

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2023-116-NU	Joshua Denigan	3 Airview Ave.	23-686-1
2023-117-NU	JJC Real Estate Holdings LLC	6619 Dixie Hwy	23-698-1
2023-118-NU	JJC Real Estate Holdings LLC	7 Goodridge Drive	23-699-1
2023-119-PM	MAMIK LLC	56-58 Bustetter Drive	23-216-3
2023-120-ZG	Spirit SPE Portfolio 2004-6 LLC	7843 US 42	23-436-2
2023-121-NU/PM	Turfway Baceline LLC	7102-7120A Turfway Road	23-622-2
2023-122-ZG	MAMIK LLC	56-58 Bustetter Drive	23-641-1

CONTINUED CASES (3):

Continued Case # 2022-238-OC
7851 Tanners Lane
Represented by: Greg Gilliam

City of Florence vs. Greg's Affordable Car Repair
Multiple Citations

Officer Macaluso presented the case as follows: Followed up with the Finance Department and the occupational license is not in compliance.

Greg Gilliam appeared on behalf of Greg's Affordable Car Repair and requested additional time to bring the occupational license into compliance. He completed the 2021 tax returns and is working with the Finance Department on completing the 2022 returns.

Board Member Spille motioned to continue the case thirty days. Board Member Sharp followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2023-31-NU/PM/ZG
8 Smith Street

City of Florence vs. Jose M. Tineo Hernandez
Multiple Citations

Officer Deno presented the case as follows: Mr. Hernandez failed to appear. Inspection completed and the vehicle remains parked on the gravel surface. Officer Deno observed thirty bags of Quikrete on the side of his house which Officer Deno believes Mr. Hernandez intends to use to pave the gravel part of the yard.

Board Member Spille inquired if he would need to obtain a permit to pour the concrete. Officer Deno stated Mr. Hernandez would need a permit if he connected the poured slab to the city curb.

Board Member Rowland motioned to continue the case for thirty days. Board Member Howard followed with a second. **Motion carried by unanimous vote.**

Continued Case # 2020-82-PM
132-135 Honeysuckle Drive
Represented by: Robert Busken/ Attorney Ann Miller

City of Florence vs. Tower Place Properties, LLC
Multiple Citations

Officer Macaluso presented the case as follows: At the April Code Enforcement Board Meeting, the Board ruled that Officer Macaluso would need to complete an additional inspection on the property. Officer Macaluso and Community Services Superintendent Jeremy Kleier inspected the property and stated no repairs had been completed and prepared a "Summary of Issues with a Timetable for Remediation".

Assistant City Attorney Nienaber confirmed that at the April Code Enforcement Board Meeting there was to have been a comprehensive summary of all existing issues at 132 and 135 Honeysuckle and a timetable for remediation. Officer Macaluso and CSS Kleier inspected the property and prepared the "Summary of Issues with a Timetable for Remediation". The summary contains all violations and a timetable of when all repairs need to be completed. The "Summary of Issues with a Timetable for Remediation" was sent to Attorney Ann Miller. There is now an agreement of violations and a timetable of when the repairs need to be completed and if the agreement is followed, no additional citations will be issued.

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Attorney Ann Miller stated the only issue is the installation of the dumpster. The tenants currently put the trash on the curb. The owner would like to know if there is a requirement for the dumpster to be installed. Officer Macaluso stated the dumpster is not a requirement. However, tenants had not been pulling their trash cans in when required and the issue has become a chronic issue. Attorney Miller stated she would discuss the issue with the owner.

Board Member Spille inquired how long the overall timetable of repairs. Attorney Nienaber stated approximately six months. Board Member Spille made a motion to continue the case six months, to the November meeting. Board Member Board Member Rowland followed with a second. Motion died due to lack of vote.

Attorney Nienaber stated an agreement would be signed within thirty days.

Officer Macaluso stated he strongly urges the property owner to relocate the dumpster with regard to the tenants. If the tenants fail to remove their trashcans for more than 36 hours, each can is a violation and citations can be issued. Therefore, Officer Macaluso strongly recommended the property owner bring the dumpsters back to the property.

Chairman Johnson stated there was a recommendation for a six month extension. Board Member Howard made a motion to continue the case for six months. Board Member Rowland followed with a second. **Motion carried by unanimous vote.**

Attorney Nienaber stated he would prepare an agreement and as soon as the agreement is signed by all parties, the liens will be released.

ATTORNEY'S REPORT:

Attorney Nienaber observed seven citations issued to Home Depot on the agenda. He suggested possibly amending the Code Enforcement penalties to include persistent offender penalty. Officer Macaluso agreed and stated many of the larger stores in the area do not adhere to regulations issued by the Code Enforcement.

The foreclosure cases against 26 Julia Avenue and 10 Kennedy Court are in litigation. Repairs are progressing on both properties.

ADJOURNMENT:

Chairman Johnson reminded the Board the next meeting will be held on June 7, 2023.

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board Member Spille so moved, with a second from Board Member Sharp. **Motion passed with unanimous approval of the Board**, the time being 10:53 am.

ATTEST:


Melissa Kramer, Secretary

APPROVED:


Jim Johnson, Chairman

