

Florence City Council Business Meeting Tuesday, July 8, 2025 6:00 p.m.

#### **MINUTES**

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, July 8, 2025, at 6:00 p.m. at the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, with Mayor Julie M. Aubuchon presiding as chair.

#### **CALL TO ORDER & WELCOME:**

Mayor Julie M. Aubuchon called the regular meeting to order and declared the regular session open for the presentation of all city business.

# **INVOCATION & PLEDGE OF ALLEGIANCE:**

Mayor Aubuchon and Members of City Council recited the invocation.

All attendees recited the Pledge of Allegiance.

#### **ROLL CALL:**

The roll was called, and the following six (6) members of council were registered present: Angie Cable, Lesley Chambers, David M. Schneider, Diane E. Whalen (Vice Mayor), Patricia Wingo, and Gary Winn.

Staff members present were: City Attorney, Thomas R. Nienaber; Finance Director, Jason Lewis; Fire/EMS Chief, Rodney Wren; Chief of Police, Jeff Mallery; Public Services Director, Eric Hall; Director of Administration/City Administrator, Joshua J. Hunt; City Engineer, Bill Viox; City Clerk, Melissa Kramer; Videographer, Perry Weber; Police Lieutenant, Jason Reed; Police Corporal, Ben Kolkmeier and Police Officer, Amin El Brahmi.

The following were also present in the audience: Battalion Chief of EMS, Danielle Stiner; Assistant Fire/EMS Chief, Chris Miller; Assistant Fire/EMS Chief, Ryan Born; Battalion Chief of Training, Matt Pleiman; Fire/EMS Commander, Adam Begley; Firefighter/EMT, Joe Melville; Firefighter/EMT, Mutaz Al-Ramahi; Firefighter/EMT, Zachary Doyle; Firefighter/EMT, Aidan Bray; Firefighter/EMT, Justin Schmitt; Firefighter/EMT, Bradley Althauser; Firefighter/EMT, Cody Flickinger; Firefighter/EMT, Connor Gregory; Firefighter/EMT, Kyle Merkin; Firefighter/EMT, Evan Kerns; Paramedic, Kyle Wilhite; Firefighter/Paramedic, Eric VanMeter; Friends and Family of Firefighter/EMT, Joe Melville; Friends and Family of Firefighter/EMT, Mutaz Al-Ramahi; Friends and Family of Firefighter/EMT, Justin Schmitt; Friends and Family of Firefighter/EMT, Justin Schmitt; Friends and Family of Firefighter/EMT, Bradley Althauser; Friends and Family of Firefighter/EMT, Cody

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Flickinger; Friends and Family of Firefighter/EMT, Connor Gregory; Friends and Family of Firefighter/EMT, Kyle Merkin; Friends and Family of Firefighter/EMT, Evan Kerns; Friends and Family of Paramedic, Kyle Wilhite; Friends and Family of Firefighter/Paramedic, Eric VanMeter; Florence Fire/EMS Personnel; Code Enforcement Officer, Mike Macaluso; Community Services Superintendent, Jeremy Kleier; Resident of Florence, Robert Sergeant; Resident of Florence, James Leach; Resident of Florence, Stacy Arnett; and Resident of Florence, Karen Strayer.

#### **APPROVAL OF MINUTES:**

Mayor Aubuchon called for a motion to approve the minutes of the June 17, 2025 special meeting. Councilmember Wingo motioned to approve the minutes with a second from Councilmember Schneider. All councilmembers present voted aye.

### **OATHS OF OFFICE:**

Rodney Wren, Fire/EMS Chief, introduced the newest members of the Florence Fire/EMS Department including Firefighter/EMT, Joe Melville; Firefighter/EMT, Mutaz Al-Ramahi; Firefighter/EMT, Zachary Doyle; Firefighter/EMT, Aidan Bray; Firefighter/EMT, Justin Schmitt; Firefighter/EMT, Bradley Althauser; Firefighter/EMT, Cody Flickinger; Firefighter/EMT, Connor Gregory; Firefighter/EMT, Kyle Merkin; Firefighter/EMT, Evan Kerns; Paramedic, Kyle Wilhite; and Firefighter/Paramedic, Eric VanMeter.

Mayor Aubuchon administered the oaths of office while Assistant Fire/EMS Chief Ryan Born and Assistant Fire/EMS Chief Chris Miller presented them with their badges.

# **MUNICIPAL ORDER MO-10-2025:**

Mayor Aubuchon called upon Fire/EMS Chief, Rodney Wren, with regard to discussion and possible action of Municipal Order MO-10-2025.

Chief Wren explained that the COPIC grant was funding provided by St. Elizabeth for the community paramedicine program that began last year. The proposed addendum would allow St. Elizabeth to pay \$5,000 to the City of Florence regarding additional expenses the program had incurred.

Mayor Aubuchon requested any discussion or questions, hearing none, Mayor Aubuchon read Municipal Order MO-10-2025. A Municipal Order approving a certain amendment to the COPIC Paramedicine Pilot Program Grant Contractor Agreement for Services and Memorandum of Understanding between Saint Elizabeth Medical center, Inc., D/B/A St. Elizabeth Healthcare and Florence Fire/EMS.

Mayor Aubuchon called for a motion to approve Municipal Order MO-10-2025. Councilmember Winn motioned to approve, with a second from Councilmember Schneider. Mayor Aubuchon requested a Roll Call Vote. Councilmember Wingo, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Whalen, yes; Councilmember Schneider, yes;

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Councilmember Cable, yes. Roll call recognized six yes votes approving Municipal Order MO-10-2025 by unanimous vote.

# FORECLOSURE HEARING & CONSIDERATION OF RESOLUTION NO. 001-2025 FROM THE FLORENCE CODE ENFORCEMENT BOARD:

Mayor Aubuchon called upon City Attorney Thomas R. Nienaber, for presentation of the hearing.

Mr. Nienaber informed council the purpose of the hearing was to establish a record and act upon a recommendation for civil action initiated against 37 Goodridge Drive, Florence, Kentucky for code enforcement violations pursuant to City of Florence Ordinance O-10-16, City of Florence Ordinance O-33-05, and pursuant to KRS 65.8801 through 65.8839. Mr. Nienaber stated under the city's code enforcement ordinance, the city council acts upon the recommendation of the Code Enforcement Board.

Mr. Nienaber stated on April 2, 2025, the Code Enforcement Board received a recommendation from Jeremy Kleier that a recommendation be sent to City Council for the purpose of authorizing a civil proceeding be initiated against the property owner, Burr J. Travis III. The violations, which were the subject matter of the action go back twenty-six months and included 102 violations and liens. At the hearing, based upon the recommendation of Jeremy Kleier, the Code Enforcement Board, unanimously made a recommendation to city council that a civil action should be initiated in order to address the code enforcement violations and begin foreclosure for those violations.

Mr. Nienaber added that the property was in serious violation of code enforcement ordinances and the responsibility of city council would be to judge whether or not the recommendations submitted by the Code Enforcement Board should be adopted and whether or not a civil proceeding should be initiated against the property owner. Currently, approximately \$39,000 is owed in liens, violations fines, and city expenses.

Mr. Nienaber explained it would be city council's responsibility to determine whether or not the following criteria were present: Was the property owner provided proper notice as required by the code enforcement ordinance; Whether or not a civil suit, seeking monetary damages and judicially ordered sale of the property is an appropriate course of action; whether or not the violator had demonstrated indifference to or a complete disregard of the zoning ordinance and had refused to comply with that ordinance; whether or not the violations constituted a present danger to public health, safety, and welfare or if it materially interferes with the peaceful enjoyment of the adjoining property owners; whether or not there was an appropriate period of time that the violations continued; and whether or not there were three violations of the same code enforcement provision.

Mr. Nienaber informed councilmembers following the hearing they would be required to make Findings of Fact with respect to their final decision and based on the decision, a Municipal Order may or may not be entered.

Mr. Nienaber called the witness, Jeremy Kleier, Community Services Superintendent.

City Clerk Melissa Kramer swore in the witness, Jeremy Kleier.

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Mr. Nienaber: State your full name for the record.

Witness Kleier: Jeremy Kleier.

Mr. Nienaber: And are you employed by the city?

Witness Kleier: I am.

Mr. Nienaber: In what capacity?

Witness Kleier: Superintendent of the Public Services Department.

Mr. Nienaber: In your capacity as superintendent, had you occasion to make a Recommendation to the Code Enforcement Board with respect to the property located at 37 Goodridge, Florence, Kentucky?

Witness Kleier: Yes, I did.

Mr. Nienaber: And that recommendation was submitted to you on April 2, 2025?

Witness Kleier: Correct.

Mr. Nienaber: Jeremy, I would refer you to Exhibit 2 of the packet that I handed

out. Do you recognize that document?

Witness Kleier: Yes, I do.

Mr. Nienaber: And what is that document?

Witness Kleier: That is a recommendation from the Code Enforcement Board to

send it to City Council for a hearing.

Mr. Nienaber: With a recommendation that a foreclosure and civil action be

initiated?

Witness Kleier: Correct.

Mr. Nienaber: And that was adopted unanimously?

Witness Kleier: Yes.

Mr. Nienaber: And attached to that recommendation of April 2, 2025, there is a report submitted by you, is that correct?

Witness Kleier: That's correct.

Mr. Nienaber: And that report is dated March 14, 2025?

Witness Kleier: Yes.

Mr. Nienaber: And there are six criteria that are listed in your report?

Witness Kleier: Correct.

Mr. Nienaber: And you addressed each of those criteria?

Witness Kleier: I did.

Mr. Nienaber: And was it your recommendation to the Code Enforcement Board

that a civil action be initiated with respect to 37 Goodridge Drive, Florence, Kentucky?

Witness Kleier: That is my recommendation.
Mr. Nienaber: That's all I have of this witness.

Mr. Nienaber called the witness Michael Macaluso, Code Enforcement Officer.

City Clerk Melissa Kramer swore in the witness Michael Macaluso.

Mr. Nienaber: Would you state your full name for the record, please?

Witness Macaluso: Mike Macaluso.

Mr. Nienaber: And where are you employed? Witness Macaluso: The City of Florence, Kentucky.

Mr. Nienaber: And what is your capacity at the City of Florence?

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Witness Macaluso: I am a Code Enforcement Officer.

Mr. Nienaber: And how long have you been a code enforcement officer?

Witness Macaluso: Eight years.

Mr. Nienaber: Have you been a continuous code enforcement officer for the period in question here, beginning June 12, 2023 through the present?

Witness Macaluso: I was not the original officer. I took the case over due to an officer taking another position. It was reassigned to me on June 16, 2023.

Mr. Nienaber: But you've been an officer that entire period of time?

Mr. Nienaber: Correct.

Mr. Nienaber: Mike, I would draw your attention to Exhibit 3. Do you recognize

that?

Witness Macaluso: Yes, sir.

Mr. Nienaber: And you prepared that at my request?

Witness Macaluso: It wasn't me. It comes from our Administration Department through Brandi Roundtree. But I requested it for you.

Mr. Nienaber: And what is Exhibit 3?

Witness Macaluso: This is a summary of all fines and fees associated with 37 Goodridge, including dates, citation number, and the violation in which we cited it under.

Mr. Nienaber: And that Exhibit 3 is an accurate representation of all citations and liens issued against 37 Goodridge from the period beginning June 12, 2023, through the present.

Witness Macaluso: To my best of knowledge, that is correct.

Mr. Nienaber: And what is the total amount of liens, fines, costs and the city expense with respect to 37 Goodridge as we stand here tonight.

Witness Macaluso: The total fine and amount due is \$39,872.

Mr. Nienaber: And each one of those violations that you noted in Exhibit 3 represents citations and liens issued against the property.

Witness Macaluso: That is correct.

Mr. Nienaber: I would next draw your attention to Exhibit 4, a number of photographs. Do you recognize those?

Witness Macaluso: Yes, sir.

Mr. Nienaber: Explain what those are, Mike.

Witness Macaluso: These are photographs coming from my actual case notes from my time on the case. You'll notice that there are various dates throughout the years, but these are all the photos that I took to document the case.

Mr. Nienaber: Describe these photos.

Witness Macaluso: These are some of our most recent ones. You can see the date and time in which they were taken. This is the current state of that property. As you can see, this is the front part of the property. The house that you see now is the actual house next to it. But the grass is three plus feet tall.

Mayor Aubuchon: The lot that was mowed was not the subject property. Correct?

Witness Macaluso: The lot that's in the front ground?

Mayor Aubuchon: That is not the subject property. That is a neighboring property.

Correct?

Witness Macaluso: Correct. Where the grass is, where it goes from short to tall, that is

the property line.

Mr. Nienaber: And Michael, how tall is the grass there right now?

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Witness Macaluso: Three plus feet tall. And it varies throughout the property, but it's well over our 8-inch requirement.

Mr. Nienaber: Okay, next picture there.

Witness Macaluso: That is the city right of way. As you can see, it's obstructing the sidewalk and starting to grow out into the street.

Mr. Nienaber: And again, that's 37 Goodridge. Correct?

Witness Macaluso: Correct.
Mr. Nienaber: Next, please.

Witness Macaluso: Again, that is the actual physical house. Just the grass completely covering the whole entire front yard.

Mr. Nienaber: Next, please.

Witness Macaluso: Additional photos of it.

Mr. Nienaber: There is no pictures of the backyard. What does the back look like? Witness Macaluso: The back is exactly like that. The back has never changed. And you will hear through our testimony that the front has changed a little bit through the years. The back has never changed. It has always been excessive growth.

Mr. Nienaber: Next picture, please.

Witness Macaluso: This is a photo, and again, I am on the right of way, I've tried to zoom in. What you see is a refrigerator sitting out in the front yard, or what appears to be a refrigerator. What you can't see because the grass is so long is trash bags. I believe there's either a washer or a dryer out there. And just excessive trash at or near the porch.

Mr. Nienaber: Go back to exhibit four in your packet. I see a photograph dated July 9, 2024.

Witness Macaluso: That is correct.

Mr. Nienaber: And what is that picture?

Witness Macaluso: That is the trash. The property was mowed in the front, exposing all this trash. You can see the excessive amount of trash bags and litter that are in the front yard and on the porch.

Mr. Nienaber: Next picture please.

Witness Macaluso: Is that the one of the porch?

Mr. Nienaber: Yes.

Witness Macaluso: That's a zoomed in photo of the porch. Again, just trash bags and litter on the front porch and in and around that front area.

Mayor Aubuchon: Mr. Macaluso, it does appear that the gutters may be off as well

Witness Macaluso: Yes. The front fascia board has since fallen off in the last couple months and the gutter has fallen off as well. These are not violations that we have cited because they are recent violations.

Mr. Nienaber: We have two different dates that you have demonstrated here with

these pictures.

Witness Macaluso: Correct.

Mr. Nienaber: Do you have other photos in your file at the office that you have taken over the last 25 months or so?

Witness Macaluso: I've got some from May 23 and March 31. I tried to give a good representation. I believe we do have a few others, but it would be of the same caliber photos.

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Mr. Nienaber: Mike, is it safe to say that the photos that we have shown here tonight are not incidental or rare occasions? This is pretty much what it looks like on a constant basis.

Witness Macaluso: This would be a fair representation of what the last 26 months have

been.

Mr. Nienaber: Now, Mike, you mentioned that you don't go on the property to take

photographs.

Witness Macaluso: That is correct.
Mr. Nienaber: And why is that?

Witness Macaluso: Two reasons. Fourth Amendment violation. We really try to stay on the right-of-way, if all possible. But the second, we have had some issues with the individual living there. Officer Deno was the original officer on the case. When I took it over, he warned me that the property owner and him got into a verbal altercation. Our police department has also warned me of this individual and was concerned for my safety being on the property. On June 16, coming back off of a vacation, I had an email from our city contractor that this individual assaulted some of their individuals or at least attempted to. In the email the word weapon was used. We do have a police report. I do not see anything of a weapon. But there was documentation of some sort of altercation. So with all that, we decided that for my safety we would not be on the property. There is a pine tree at the right-of-way. We tape all citations to that tree. We've also had contact from mom and dad of the property owner stating that they are concerned for our safety and would advise us not to enter the property.

Mr. Nienaber: And is that Exhibit 6? You said there was a police report, I believe. Witness Macaluso: That that is correct. We contacted our police department to get this information.

Mr. Nienaber: And as a result of that, you do not go on or near the property? Witness Macaluso: That is correct.

Mr. Nienaber: Now I want you to go to Exhibit 7.

Witness Macaluso: Okay.

Mr. Nienaber: And do you recognize that?

Witness Macaluso: Looks like it's a Notice of Hearing for Recommendation for

Foreclosure.

Mr. Nienaber: And that was given to Mr. Travis by service on the 21<sup>st</sup> day of March

2025.

Witness Macaluso: To my best of knowledge, that is the case. Mr. Nienaber: And I would like for you to go to Exhibit 8.

Mr. Nienaber: And that is the notice that was sent to Mr. Travis for this hearing

here this evening, July 8, 2025?

Witness Macaluso: That is correct.

Mr. Nienaber: And that notice was served upon Mr. Travis? Witness Macaluso: To my best of knowledge, that is correct.

Mr. Nienaber: When you give a citation or issue a citation, how would you deliver

that citation?

Witness Macaluso: In normal circumstances, we would try to knock on the door, make contact with the individual. If we can work out some sort of an agreement at the door. We always try to help our residents. The last thing we want to do is issue citations. Unfortunately, in some circumstances we do have to issue citations.

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Mr. Nienaber: Have you properly issued a citation in every instance?

Witness Macaluso: Per our ordinance, I have to post it to the property and all citations

were posted to the property.

Mr. Nienaber: Mr. Travis received all proper notices for the citations for the April 2 hearing before Code Enforcement Board and for this hearing here tonight?

Witness Macaluso: To my best of knowledge, that is correct.

Mr. Nienaber: Has Mr. Travis, to your knowledge, ever filed an appeal from any of the proceedings relating to these code enforcement citations?

Witness Macaluso: To my knowledge, he has not. We've even subpoenaed him to a Code Enforcement Board and he was a no show.

Mr. Nienaber: Do you ever recall Mr. Travis appearing at any of the code enforcement proceedings?

Witness Macaluso: Not as of me being an active officer. He's never appeared.

Mr. Nienaber: Now, looking at Exhibit 9. Those are proposed findings of Fact or suggested Findings of Fact that I prepared. Have you read those?

Witness Macaluso: Yes, sir.

Mr. Nienaber: Are the findings that are contained in Exhibit 9 accurate to the best of your knowledge and belief?

Witness Macaluso: To the best of my knowledge, yes, sir.

Mr. Nienaber: Is it your request, and the request of the public services, that city council authorize a civil proceeding against Mr. Travis in order to take care of the property?

Witness Macaluso: That is correct.

Mr. Nienaber: Over the past few months, have you received any complaints from neighbors, adjoining property owners, etc.?

Witness Macaluso: I have been physically talked to while issuing citations. I've been called, I believe an individual's here tonight that would like to express his concerns of the property.

Mr. Nienaber: What was the general nature of those complaints that you received from neighbors?

Witness Macaluso: Initially frustrated at me on why I'm not doing enough but being able to speak with the individuals and trying to explain to them that there is a process that we have to go through. Still frustrated at the property but understood that we as the city were trying to do everything we could to bring some sort of resolution.

Mr. Nienaber: I would refer you to Exhibit 10, which was a suggested Municipal Order that I prepared. Have you read that?

Witness Macaluso: Yes, sir.

Mr. Nienaber: Do you agree with what that Municipal Order recommends?

Witness Macaluso: Yes, sir.

Mr. Nienaber: I'm going to ask you six questions, and I'd like for you to give me your professional opinion based upon your training and experience as a Code Enforcement Officer.

Witness Macaluso: Okay.

Mr. Nienaber: Was Mr. Travis given proper notice of all violations and these proceedings as required by the city's ordinance and Kentucky Revised Statutes?

Witness Macaluso: To my best of knowledge, he was.

Mr. Nienaber: Do you believe that a civil action should be initiated against Mr. Travis to bring the property into compliance?

Witness Macaluso: I do.

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Mr. Nienaber: Do you believe that the property owner has demonstrated an indifference to or disregard for the necessity of compliance with the City of Florence Zoning Code?

Witness Macaluso: I do.

Mr. Nienaber: Do you believe that the violations over the last 25 months or so, totaling 102, do you believe that constitutes a present danger to the public health, safety or welfare of the residents in the vicinity and or materially interfering with the peaceful enjoyment of property owners adjacent to the property in question?

Witness Macaluso: I do.

Mr. Nienaber: Do you believe that the period of time in relation to the type of violation and the number of violations dictates that civil proceeding be initiated?

Witness Macaluso: I do.

Mr. Nienaber: And have there been more than three violations of the same code enforcement violation by Mr. Travis in the last 25 or so months?

Witness Macaluso: There has.

Mr. Nienaber: That's all I have of this witness.

Mr. Nienaber stated he did not wish to call additional witnesses. Mayor Aubuchon opened the floor for additional testimony.

Brandon Mitchell wished to provide testimony on behalf of his grandfather who is the resident of 42 Goodridge Drive.

City Clerk Melissa Kramer swore in the witness Brandon Mitchell

Witness Mitchell: "City Council Members, I am here tonight to express a serious frustration and concern regarding persistent neglected property at 37 Goodridge. This resident is in clear violation of the City of Florence Property Maintenance Code and chronic nuisance. For years, this property has been a blatant violation of the city codes, and conditions include the overgrown grass and weeds creating a fire hazard and breeding ground for pests. Trash and debris scattered on the roof signaling serious neglect and potential structural risks. Yard full of junk, broken appliances and miscellaneous debris creating health and hazard, dragging down appearance and property values of our entire neighborhood. What's most troubling is that there's been an issue ongoing and it appeared no apparent progress or enforcement was taken. It's hard to understand how it's been allowed to continue. And frankly, what point does it become a slap in the face to the enforcement officer, those who are tasked with upholding the ordinances when nothing is done and clear violations are allowed to persist. If the city has codes on the books, then they must be enforced. Otherwise, what's the point? The situation sends a message that neglect and disregard of the community standards will be tolerated. And the message is unacceptable. The city has attempted to take measures that involve cleaning up the property, and that attempt has failed. Something must be done before we experience a tragedy like the one that recently occurred in Triple Crown. Is this what we want our neighborhoods to look like? Is this a level of enforcement we'll now tolerate? That's the message being sent. I'm calling on the city to take immediate action. The residents of the community deserve better. We deserve a clean, safe and respectful environment. And we deserve a city that stands behind its rules."

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Councilmember Chambers inquired of the 102 violations, how many different violations there were.

Officer Macaluso stated there were two different violations, high weeds and grass and trash and debris. He added that the same two violations had been a persistent issue throughout the duration of the case and still exist today.

Councilmember Chambers inquired as to how often citations were issued.

Officer Macaluso stated the timeframe between citations varied. He explained that at the beginning of the case, citations were being issued weekly, depending on the Code Enforcement Officer's schedule. There was a period where citations were escalated to try to attempt to gain compliance. There was also a period where no citations were being issued due to a local church volunteering to assist with cleaning up the property in hopes to bring the property into compliance. That did not work, and the city resumed citing the property.

Councilmember Chambers inquired if Officer Macaluso had spoken with the property owner.

Officer Macaluso stated he had not spoken with the property owner.

Councilmember Chambers requested confirmation that there was a person residing at the property.

Officer Macaluso stated he had been in contact with the property owner's mother and father who had confirmed that Mr. Travis was residing at the property.

Councilmember Cable requested confirmation that citations were posted on a tree on the property.

Officer Macaluso confirmed.

Councilmember Cable referenced Page 2 of Exhibit 2, page 4 of the packet provided, stating the property owner's mother warned city employees of her son's mental health and violent tendencies. With that in mind, it also stated that Katie James, Human Services Administrator, had also tried to work with the property owner to help clean up the property. She inquired as to what point would the city be in compliance with potential ADA and fair housing requirements.

Mr. Nienaber stated he had communicated with the parents over the past few months, and he had been informed that court proceedings had been attempted for a commitment which were not successful. The courts had stated that a commitment was not appropriate.

Councilmember Cable inquired if the case was heard in Family Court. Mr. Nienaber stated that the case was heard in District Court where medical professionals had been consulted and found no grounds for commitment.

Mr. Nienaber explained that he had been informed by both parents that he could not be controlled and they were unable to help him any further.

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Mayor Aubuchon requested clarification that Mr. Travis' parents had gone to court to determine if Mr. Travis was of sound mental health so that they could proceed with obtaining help for him and the judge had ruled that he was of sound mental health.

Mr. Nienaber stated that he could only comment on what he was told by the parents that they had attempted multiple times to have a limited conservator appointed and all attempts were unsuccessful.

Councilmember Cable requested clarification that this information was provided through conversation but that no documentation had been provided.

Mr. Nienaber confirmed that no paperwork was provided. He also pointed out that it was not the city's responsibility to delve into Mr. Travis' mental health.

Mr. Nienaber explained that a church went to the property and cut the grass and made it look great and the next day there were bags of trash in the front yard along with appliances.

Officer Macaluso stated that the church members had most of the property cleaned up and an incident occurred that made the volunteers walk off the property and they refused to return to finish.

Councilmember Wingo pointed out that in the documentation that was provided threats were made against a city contractor. Councilmember Wingo explained that in situations similar to this one, a contractor would be sent to the property to mow the lawn and the cost would be passed along to the property owner. She reiterated that the contractor along with a code enforcement officer have been threatened by the property owner. She agreed with the comment referencing the incident at Triple Crown that the situation was not safe for Code Enforcement Officers to approach the house to issue citations.

Councilmember Chambers requested confirmation that a subpoena was issued for Mr. Travis to appear at a Code Enforcement Board Hearing and he did not appear.

Mr. Nienaber confirmed stating Exhibit 8 was a notice that was directed to Mr. Travis to appear this evening at 6:00 p.m. for the purpose of attending this hearing. The notice was issued by Melissa Kramer, City Clerk, and served to Mr. Travis by Officer Caleb Hightchew on June 23, 2025.

Councilmember Whalen stated that Councilmember Chambers question was regarding the subpoena that was issued to Mr. Travis requiring him to appear before the Code Enforcement Board.

Officer Macaluso confirmed that a subpoena was issued.

Councilmember Whalen inquired if a subpoena was issued and Mr. Travis did not appear what would be the legal ramification of the failure to appear.

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Mr. Nienaber explained that in order for an administrative agency code enforcement board to get a court order on failure to abide by a subpoena, they would have to initiate a proceeding in the Boone District Court and get an order from the judge directing the individual who was non-compliant to show cause why he should not be held in contempt or he or she should not be held in contempt for violating a subpoena.

Councilmember Whalen stated that foreclosure was not a quick process and was not something that the Code Enforcement Board jumped to quickly. She stated that in the last twenty years, there had only been two or three properties foreclosed on by the city. She explained that the code officers issued the citations and attempted to work with the residents by asking them to fix the problems and offered assistance to help fix the problems and it took a very long time for the situation to get to this point. She cited Mr. Mitchell's statement that it felt like the city was doing nothing with this property, which was not the case with this property.

Mr. Nienaber stated he had been attending Code Enforcement Board Meetings for a few years now and believed they are too lenient because they were not in it to collect the fees and fines. He added that in 95% of cases all penalties were waived and the only fees the board collected were expenses the city had incurred.

Councilmember Cable inquired if it would be a possibility to waive the fees and only foreclose on city expenses, so that council would not be putting somebody on a street who becomes then another statistic of our homeless population.

Mr. Nienaber stated that residents have expressed concerns regarding an unhealthy living situation.

Councilmember Cable stated she agreed with that, she was asking if waiving the citation fees was an option.

Mayor Aubuchon stated the foreclosure would not be about the fines at that point. The city had issued the fines. Mayor Aubuchon requested clarification of what Councilmember Cable was asking regarding reduction of the fines.

Mr. Nienaber explained that a point was reached where waiving the fines would not do any good due to the fact that Mr. Travis was not willing to take care of his property. Mr. Nienaber explained that he and the code enforcement officers had tried multiple times to reach a deal with Mr. Travis to maintain his property and nothing has worked.

Councilmember Chambers explained that if a person had \$100,000 of equity in the property the city would take their cut of \$40,000 which would leave him with \$60,000 to rebuild his life. She inquired if council would be able to reduce the amount of fines owed. Mr. Nienaber stated that decision would be at the discretion of council.

Councilmember Whalen stated that during the last foreclosure, the city was able to work out a payment plan agreement with the property owner to pay the fines, avoid the foreclosure, and fix the house and none of that happened.

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Mayor Aubuchon added that a tree was growing out of a car in the backyard of the property.

Mr. Nienaber added that a formal contract was reached after the lawsuit was filed and it did not last long before the property was not in compliance again.

Councilmember Whalen stated if a deal would be reached but the property was unwilling to maintain the property, it would make it more difficult for the city to reinstitute the foreclosure proceedings.

Councilmember Chambers requested confirmation as to whether or not the fines could be negotiated if council voted to proceed with filing a foreclosure.

Councilmember Whalen stated there would still be a way to negotiate the fees and fines.

Councilmember Chambers clarified that in her scenario, if the city was unable to contact the property owner and reach an agreement, would the city take the \$40,000 when the property sells or would the city be able to take a lesser amount so the property owner could retain some equity in their property.

Mr. Nienaber explained that an agreement was worked out with a property owner where \$50,000 was owed and the city worked out an agreement where they would owe the city \$7,500 for the city expenses and in that case, it worked out. All payments were made and the property was kept in compliance.

Councilmember Winn stated that for most of the people in this situation they just try to prolong the process as long as possible and repairs are never made.

Mayor Aubuchon reiterated that council does have options. They would be able to deliberate and make recommendations.

Mr. Nienaber stated he had prepared Findings of Fact that council could review and adopt, or they could prepare their own, but Findings of Fact that address the criteria previously mentioned were required. Mr. Nienaber added that if the civil action was authorized and the foreclosure was filed, council would have the final say when it comes time to obtain a judgment.

Councilmember Whalen inquired if additional citations would be issued to the property during the foreclosure process. Mr. Nienaber stated that it would be at the discretion of code enforcement.

Mr. Nienaber introduced the following documents into record:

- Exhibit 1 Ordinance No. O-33-05 criteria
- Exhibit 2 Code Enforcement Board Recommendation of Foreclosure
- Exhibit 3 Violation/Citation/Lien History & Lien/Citation Financial Summary
- Exhibit 4 Photographs
- Exhibit 5 City Cost/Expense

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- Exhibit 6 Police Reports
- Exhibit 7 Code Enforcement Board Hearing Subpoena
- Exhibit 8 Notice of July 8, 2025 Council Hearing
- Exhibit 9 Proposed Findings of Fact
- Exhibit 10 Proposed Municipal Order

(Exhibits are attached to minutes as Exhibit A)

#### **CLOSED SESSION:**

There being no further questions or comments, Mayor Aubuchon called for a motion to go into Closed Session pursuant to KRS 61.810 (1) (c) litigation, proposed or pending against or on behalf of the city. Councilmember Winn so moved with a second from Councilmember Wingo. All councilmembers present voted aye, the time being 7:09 p.m.

Councilmembers exited to the Caucus Room for deliberation. Upon concluding their discussion, they returned to the Council Chambers, where Vice Mayor Whalen informed Mayor Aubuchon that a decision had been reached regarding the property.

Mayor Aubuchon called for a motion to come back into session after the Closed Session. Councilmember Whalen so moved, with a second from Councilmember Winn. All councilmembers present voted aye, the time being 7:34 p.m.

Vice Mayor Whalen stated that, after careful consideration of the Findings of Fact and a thorough discussion reflecting the concerns of all involved, city council agreed that while this was not an easy decision, they supported the Findings of Fact as outlined in Exhibit 9 and were prepared to proceed with foreclosure proceedings in accordance with the Municipal Order identified as Exhibit 10

Mayor Aubuchon read the findings of city council:

#### FINDINGS OF FACT AS ISSUED BY FLORENCE CITY COUNCIL

This matter came on for hearing before the Florence City Council on July 8, 2025, at 6:00 p.m., regarding Burr Travis, III, 37 Goodridge Drive, Florence, Kentucky, pursuant to Ordinance No. O-33-05. After hearing, and consideration of all evidence submitted, the Florence City Council makes the following Findings of Fact and Recommendation:

- 1. Burr Travis, III has received proper notice of all violations and hearings as required by the City of Florence Code Enforcement Ordinance.
- 2. Currently there are 102 Code Enforcement Liens filed against 37 Goodridge Drive, Florence, Kentucky.
- 3. In all, there have been 102 Citations issued against 37 Goodridge Drive, Florence, Kentucky.

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4. Burr Travis, III has not taken reasonable efforts to comply with the Code Enforcement Ordinance and he has demonstrated a continuous refusal to comply by his conduct and inaction.

- 5. Burr Travis, III has allowed 37 Goodridge Drive, Florence, Kentucky, to reach such a state of disrepair that it constitutes a present danger and nuisance to the public at large and particularly to the residents in the vicinity of 37 Goodridge Drive, Florence, Kentucky.
- 6. Burr Travis, III's disregard of and refusal to comply with the Code Enforcement Ordinance has persisted over an extended period in excess of 2 years. He has shown no indication that he will ever attempt to reasonably comply with the Code Enforcement Ordinance and/or prior agreements.
- 7. Burr Travis, III has never filed a formal appeal from any Code Enforcement Board action.
- 8. Burr Travis, III has received over 3 of the same violations which have been found to exist for an extended period of time.
- 9. Filing a civil suit seeking money damages and foreclosure against Burr Travis, III would be appropriate under the circumstances and the only course of action available to the City at this time.
- 10. As of the July 8, 2025 hearing, there is a total due and owing the City for fines, penalties, costs, fees, and Lien charges in the amount of \$39,872.00. The amount of 35,000.00 is due and owing for fines, and \$4,872.00 is due and owing for Lien expense and City "out-of-pocket" expense.

#### Recommendation

Based upon the Findings of Fact, the Florence City Council hereby recommends that a Municipal Order be entered directing the following:

- 1. The City Attorney be and he is hereby authorized and directed to immediately initiate a civil proceeding against Burr Travis, III for the collection of all outstanding fines, penalties, interest, costs, attorney's fees, and any and all other charges permitted under the Code Enforcement Ordinance and/or Kentucky Revised Statutes.
- 2. The civil proceeding is directed to recover all monetary damages incurred by the City; seek an Order and Judgment directing the sale of the property located at 37 Goodridge Drive, Florence, Kentucky; and to seek any and all other relief as may be permitted and authorized under the Code Enforcement Ordinances and/or Kentucky Revised Statutes.

# **MUNICIPAL ORDER MO-11-2025:**

Mayor Aubuchon read Municipal Order MO-11-2025. A Municipal Order authorizing and directing the city attorney to file suit seeking judgment for unpaid civil fines and sale of the subject property (37 Goodridge Drive) in satisfaction of the judgment.

Mayor Aubuchon called for a motion to approve Municipal Order MO-11-2025. Councilmember Whalen motioned to approve, with a second from Councilmember Winn.

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Councilmember Cable stated this was a difficult decision to make because she never wanted to foreclose on someone's home. She hoped this decision would encourage Mr. Travis to reach out to the city to remedy the situation.

Councilmember Chambers agreed with Councilmember Cable and added that the decision to proceed with foreclosure was made for the safety of the neighbors. She mirrored Councilmember Cable's comment that she hoped a resolution could be reached with the homeowner.

Mayor Aubuchon requested a Roll Call Vote. Councilmember Wingo, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Whalen, yes; Councilmember Schneider, yes; Councilmember Cable, yes. Roll call recognized six yes votes approving Municipal Order MO-11-2025 by unanimous vote.

#### **MAYOR'S REPORT:**

- Mayor Aubuchon reminded everyone to join her for Cookies and Conversations on Thursday, July 10 at 2:00 p.m. for another informal conversation over lemonade and cookies. This would be a great opportunity to enjoy lemonade and cookies while asking questions, sharing ideas and staying connected.
- Mayor invited everyone to attend Christmas in July at the Florence Aquatic Center on Friday, July 25.
- Mayor Aubuchon announced the City of Florence would hold a Car Show and Art & Vendor Festival on Saturday, August 2 from 9:00 a.m. 2:00 p.m. at Bell Park and the Historic Fire Station on Main Street in Florence.
- Mayor Aubuchon announced the City of Florence would host a National Night Out on Tuesday, August 5 from 5:00 - 7:00 p.m. The event will be held here at the Florence Government Center. The Police Department, Public Services Department, and Fire/EMS Department will have equipment on display. There will be vendors, and food will be provided to attendees. It is a great opportunity to connect with city officials, city personnel and councilmembers.

# **RECOGNITION:**

Mayor Aubuchon asked if any of the following desired recognition:

Members of City Council:

None desired recognition.

Department Heads:

Chief of Police, Jeff Mallery:

Chief Mallery did not desire recognition.

Director of Administration/City Administrator, Joshua J. Hunt:

Mr. Hunt did not desire recognition.

Fire/EMS Chief, Rodney Wren:

Chief Wren did not desire recognition.

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Finance Director, Jason Lewis:

Mr. Lewis did not desire recognition.

Public Services Director, Eric Hall

Mr. Hall did not desire recognition.

Members of the Audience:

No recognition requested from the audience.

### **CLOSED SESSION:**

Mayor Aubuchon called for a motion to go into Closed Session pursuant to KRS 61.810 (1) (c) litigation, proposed or pending against or on behalf of the city. Councilmember Whalen so moved with a second from Councilmember Wingo. All councilmembers present voted aye, the time being 7:43 p.m. Mayor Aubuchon advised they would return to the room to adjourn and did not anticipate any further business taking place following Closed Session.

Mayor Aubuchon called for a motion to come back into session after the Closed Session. Councilmember Whalen so moved, with a second from Councilmember Schneider. All councilmembers present voted aye, the time being 7:56 p.m.

# **ADJOURNMENT:**

There being no further business to come before the Council, Mayor Aubuchon called for a motion to adjourn. Councilmember Chambers so moved, with a second from Councilmember Wingo. Councilmembers present voted ave, the time being 7:57 p.m.

APPROVED:

/s/ Julie M. Aubuchon

Julie M. Aubuchon, Mayor

ATTEST:

/s/ Melissa Kramer

Melissa Kramer, City Clerk

KENTUCKY

# FLORENCE CITY COUNCIL EXHIBIT LIST 37 GOODRIDGE

EXHIBIT NO.	DESCRIPTION
1	ORDINANCE NO. O-33-05 CRITERIA
2	CODE ENFORCEMENT BOARD RECOMMENDATION OF FORECLOSURE
3	VIOLATION/CITATION/LIEN HISTORY LIEN/CITATION FINANCIAL SUMMARY
4	PHOTOGRAPHS
5	CITY COST/EXPENSE
6	POLICE REPORTS
7	CODE ENFORCEMENT BOARD HEARING SUBPOENA
8	NOTICE OF JULY 8, 2025 COUNCIL HEARING
9	PROPOSED FINDINGS OF FACT
10	PROPOSED MUNICIPAL ORDER



#### **HEARING CRITERIA**

PURSUANT TO ORDINANCE NO. 0-33-05, COUNCIL MUST REVIEW THE CODE ENFORCEMENT BOARD RECOMMENDATION AND CONSIDER THE FOLLOWING CRITERIA:

- 1. WHETHER THE VIOLATOR HAS BEEN GIVEN NOTICE OF THE VIOLATION AS REQUIRED BY SECTION VII AND SECTION IX OF ORDINANCE NO. 0-7-02.
- 2. WHETHER A CIVIL SUIT SEEKING A MONEY DAMAGES ONLY AGAINST THE VIOLATOR OR A CIVIL PROCEEDING SEEKING A JUDICIALLY ORDERED SALE OF THE SUBJECT PROPERTY, WILL BE THE APPROPRIATE COURSE OF ACTION.
- 3. WHETHER THE CONDUCT OF THE VIOLATOR HAS DEMONSTRATED INDIFFERENCE TO OR DISREGARD FOR THE NECESSITY OF COMPLIANCE WITH THE APPLICABLE CITY ORDINANCE BY STATEMENT, CONDUCT, OR INACTION WITH REGARD TO THE VIOLATION.
- 4. WHETHER THE VIOLATION(S) WHICH IS/ARE THE SUBJECT OF THE LIENS CONSTITUTE A PRESENT DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS IN THE VICINITY, OR MATERIALLY INTERFERE WITH THE PEACEFUL ENJOYMENT OF ADJACENT PROPERTY.
- 5. THE PERIOD OF TIME FOR WHICH THE VIOLATION HAS EXISTED MUST BE CONSIDERED IN RELATION TO THE SEVERITY OF THE THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE OF THE RESIDENTS IN THE VICINITY.
- 6. WHETHER THREE CONVICTIONS OF THE SAME VIOLATION HAVE BEEN FOUND TO EXIST SINCE THE ENACTMENT OF THESE CRITERIA.

COUNCIL MAY FOLLOW THE RECOMMENDATION OF THE CODE ENFORCEMENT BOARD, SEEK DIFFERENT RELIEF FROM THAT RECOMMENDED BY THE CODE ENFORCEMENT BOARD, OR TAKE NO ACTION IN RESPONSE TO THE RECOMMENDATION. CRITERIA 1, 2, AND 3 MUST BE MET IN ORDER TO SUPPORT THE RECOMMENDATION OF THE CODE ENFORCEMENT BOARD. CRITERIA 4, 5, AND 6 MUST BE MET INDIVIDUALLY OR IN COMBINATION. COUNCIL MUST SUPPORT ITS DECISION WITH FINDINGS OF FACT.



# CITY OF FLORENCE, KENTUCKY - CODE ENFORCEMENT BOARD FORECLOSURE NO. 001-2025 RESOLUTION RECOMMENDING FORECLOSURE

IN RE:

Property at 37 Goodridge Drive, Florence, Kentucky 41042

Owner: Burr Travis III

WHEREAS, pursuant to due notice, a hearing was held before the City of Florence, Kentucky Code Enforcement Board on the 2<sup>nd</sup> day of April, 2025, pursuant to Ordinance No. O-33-05 to consider a Recommendation under that Ordinance, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, the Code Enforcement Board considered the Recommendation and all evidence admitted relative thereto and submits the following to the Florence City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CODE ENFORCEMENT BOARD OF THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

#### SECTION ONE

The Board finds that the factual allegations of the Recommendation have been proved by competent evidence.

#### **SECTION TWO**

The Board concludes that the criteria contained in Ordinance No. O-33-05 for a Recommendation that the City Council institute civil action seeking collection of all outstanding fines and costs, and enforcement by judicial sale of the property have been met.

#### SECTION THREE

The Code Enforcement Board hereby recommends to the City Council that it authorize and direct the City Attorney to file such suit seeking foreclosure.

On Motion duly made and seconded that this Resolution be passed the members of the Board voted as follows:

JAMES JOHNSON	Yes	No 🗆
RICK ROWLAND	Yes m	No 🗆
LANCE HOWARD	Yes m	No 🗆
BILL SHARP	Yes m	
DAVID SPILLE	Yes m	100 10 100 100 100 100 100 100 100 100

Accordingly, this Resolution is duly adopted.

JAMES JOHNSON, CHAIRMAN CITY OF FLORENCE, KENTUCKY CODE ENFORCEMENT BOARD

I, Melissa Kramer, Secretary of the City of Florence, Kentucky Code Enforcement Board do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Board on the 2<sup>nd</sup> day of April, 2025, and that same remains in full force and effect and is duly lodged in the records kept by me as Secretary of the Board.

Dated this day of April, 2025.

MELISSA KRAMER, CITY CLERK/

SECRETARY, CODE ENFORCEMENT BOARD



#### **PUBLIC SERVICES DEPARTMENT**

# Memorandum

To: Eric Hall, Public Services Director

From: Jeremy Kleier, Community Services Superintendent

Date: March 14, 2025

Re: Recommendation to Code Enforcement Board

City of Florence Ordinance O-33-05 established criteria and procedures to be followed by the City of Florence Code Enforcement Board in making recommendations to the Florence City Council for the initiation of judicial proceedings to enforce liens filed against real estate as a result of unpaid civil fines, charges, and fees imposed by the Board or incurred by the City for code violations.

The following property meets the criteria:

Property Address: 37 Goodridge Drive

Legal Description: LOT 20 & PTS 18 19 NON-PARIEL (F4-24-3)

Parcel ID: 061.24-28-003.00 Assessed Value: \$103,700 Owner of Record: Travis Burr J III

Owner Address: 37 Goodridge Drive, Florence, KY 41042

 Whether the violator has been given notice of the violation as required by Section VII and Section IX of Ordinance No. O-10-16.

Answer: Yes, all notices have been given in accordance with Ordinance No. O-10-16.

Whether a civil suit seeking money damages only against the violator or a civil proceeding seeking a judicially ordered sale of the subject property will be the appropriate course of action.

<u>Answer:</u> Due to several factors including the chronic nature of the violations, public health and safety concerns, a refusal by the owner to make corrections and outstanding code enforcement fines currently on the property totaling \$39,688.00, a civil proceeding seeking a judicially ordered sale is an appropriate next step.

Whether the conduct of the violator has demonstrated indifference to or disregard for the necessity of compliance with the applicable City Ordinance by statement, conduct, or inaction with regard to the violation.

Answer: There have been violations on the property since May 2023. No contact has been received from the property owner despite 103 Uniform Citations posted to the property. The City attempted to abate the violations with our contractor Merkle Lawn Care in June 2023, however the homeowner came outside with a weapon and kicked the contractor off the property. The Police were contacted and advised the contractor to stay off the property. The property owner was subpoenaed to appear at the October 2023 Code Enforcement Board meeting but did not show. Contact was made with the property owners' father and mother in an attempt to find a resolution. Mother warned us about her sons' mental health and violent tendencies. Father had advised he would get the property into compliance and was provided a lien payoff quote in October 2024. Human Services Administrator Katie James was able to arrange through Crossroads Church for Dave w/Odd Jobs to clean up the property. After one day of work the property owner threw appliances and other debris into the front yard. All avenues to assist the property owner have been exhausted.

4. Whether the violation(s) which is/are the subject of the liens constitute a present danger to the public health, safety or welfare of the residents in the vicinity, or materially interfere with the peaceful enjoyment of adjacent property.

Answer: Yes, all violations are a danger to the public health, safety or welfare of the residents in the vicinity, and interfere with the peaceful enjoyment of adjacent property. City has received multiple complaints from neighbors about the condition of this property and the negative effects to the neighborhood.

The period of time for which the violation has existed must be considered in relation to the severity of the threat to the public health, safety or welfare of the residents in the vicinity.

<u>Answer:</u> The current violations have threatened the public health, safety and welfare of nearby residents since May 2023.

Whether three convictions of the same violation have been found to exist since the enactment of these criteria.

**Answer:** Fifty-five convictions for accumulation of trash and debris on the property. Forty-six convictions for high weeds on the property.

As demonstrated above, all criteria have been met, and I recommend the Code Enforcement Board make a recommendation to City Council to initiate judicial proceedings against this property.

Invoice Payable to: City of Florence

Attn: Finance Department

8100 Ewing Blvd Florence, KY 41042





APRIL 24, 2025

#### PROPERTY ADDRESS:

37 Goodridge Drive Florence, KY 41042

DATE	CITATION #	DESCRIPTION	CITATION AMOUNT	CITY EXPENSE/ LIEN FEE
6/12/23	23-1079-1	Overgrown grass & weeds	\$50.00	\$46.00
6/16/23		Merkle Invoice		\$180.00
6/21/23	23-1079-2	Overgrown grass & weeds	\$150.00	\$46.00
6/29/23	23-1079-3	Overgrown grass & weeds	\$300.00	\$46.00
7/20/23	23-1079-4	Overgrown grass & weeds	\$300.00	\$46.00
7/27/23	23-1079-5	Overgrown grass & weeds	\$300.00	\$46.00
7/31/23	23-1079-6	Overgrown grass & weeds	\$300.00	\$46.00
8/1/23	23-1079-7	Overgrown grass & weeds	\$300.00	\$46.00
8/2/23	23-1079-8	Overgrown grass & weeds	\$300.00	\$46.00
8/3/23	23-1079-9	Overgrown grass & weeds	\$300.00	\$46.00
8/4/23	23-1079-10	Overgrown grass & weeds	\$300.00	\$46.00
8/7/23	23-1079-11	Overgrown grass & weeds	\$300.00	\$46.00
8/8/23	23-1079-12	Overgrown grass & weeds	\$300.00	\$46.00
8/11/23	23-1079-13	Overgrown grass & weeds	\$300.00	\$46.00
8/14/23	23-1079-14	Overgrown grass & weeds	\$300.00	\$46.00
8/15/23	23-1079-15	Overgrown grass & weeds	\$300.00	\$46.00
8/16/23	23-1079-16	Overgrown grass & weeds	\$300.00	\$46.00
8/17/23	23-1079-17	Overgrown grass & weeds	\$300.00	\$46.00
8/18/23	23-1079-18	Overgrown grass & weeds	\$300.00	\$46.00
8/21/23	23-1079-19	Overgrown grass & weeds	\$300.00	\$46.00
8/23/23	23-1079-20	Overgrown grass & weeds	\$300.00	\$46.00
9/6/23	23-1079-21	Overgrown grass & weeds	\$300.00	\$46.00



DATE	CITATION #	DESCRIPTION	CITATION AMOUNT	CITY EXPENSE/ LIEN FEE
7/31/23	23-1487-1	Trash and debris throughout property & overgrown landscaping	\$100.00	\$46.00
8/1/23	23-1487-2	Trash and debris throughout property & overgrown landscaping	\$300.00	\$46.00
8/2/23	23-1487-3	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/3/23	23-1487-4	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/4/23	23-1487-5	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/7/23	23-1487-6	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/8/23	23-1487-7	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/11/23	23-1487-8	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/14/23	23-1487-9	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/15/23	23-1487-10	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/16/23	23-1487-11	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/17/23	23-1487-12	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/18/23	23-1487-13	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/21/23	23-1487-14	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/23/23	23-1487-15	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
8/29/23	23-1487-16	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00



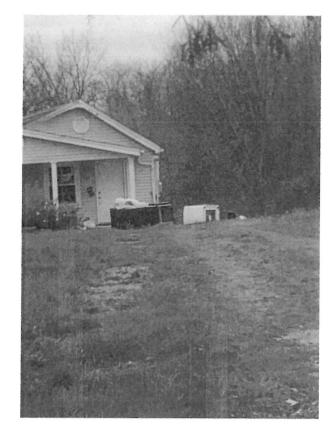
DATE	CITATION #	DESCRIPTION	CITATION AMOUNT	CITY EXPENSE/ LIEN FEE
8/31/23	23-1487-17	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
9/6/23	23-1487-18	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
09/14/23	23-1487-19	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
09/22/23	23-1487-20	Trash and debris throughout property & overgrown landscaping	\$600.00	\$46.00
12/11/23	23-1487-21	Trash and debris throughout property	\$300.00	\$46.00
12/29/23	23-1487-22	Trash and debris throughout property	\$300.00	\$46.00
01/08/24	23-1487-23	Trash and debris throughout property	\$300.00	\$46.00
01/18/24	23-1487-24	Trash and debris throughout property	\$300.00	\$46.00
01/30/24	23-1487-25	Trash and debris throughout property	\$300.00	\$46.00
02/28/24	23-1487-26	Trash and debris throughout property	\$300.00	\$46.00
03/07/24	23-1487-27	Trash and debris throughout property	\$300.00	\$46.00
03/13/24	23-1487-28	Trash and debris throughout property	\$300.00	\$46.00
03/20/24	23-1487-29	Trash and debris throughout property	\$300.00	\$46.00
04/16/24	23-1487-30	Trash and debris throughout property	\$300.00	\$46.00
04/24/24	23-1487-31	Trash and debris throughout property	\$300.00	\$46.00
05/06/24	23-1487-32	Trash and debris throughout property	\$300.00	\$46.00
05/14/24	23-1487-33	Trash and debris throughout property	\$300.00	\$46.00
05/22/24	23-1487-35	Trash and debris throughout property	\$300.00	\$46.00
06/06/24	23-1487-36	Trash and debris throughout property	\$300.00	\$46.00
07/01/24	23-1487-37	Trash and debris throughout property	\$300.00	\$46.00
07/09/24	23-1487-38	Trash and debris throughout property	\$300.00	\$46.00
07/19/24	23-1487-39	Trash and debris throughout property	\$300.00	\$46.00
08/05/24	23-1487-40	Trash and debris throughout property	\$300.00	\$46.00
08/13/24	23-1487-41	Trash and debris throughout property	\$300.00	\$46.00
08/27/24	23-1487-42	Trash and debris throughout property	\$300.00	\$46.00



DATE	CITATION #	DESCRIPTION	CITATION AMOUNT	CITY EXPENSE/ LIEN FEE
09/04/24	23-1487-43	Trash and debris throughout property	\$300.00	\$46.00
09/12/24	23-1487-44	Trash and debris throughout property	\$300.00	\$46.00
10/01/24	23-1487-45	Trash and debris throughout property	\$300.00	\$46.00
10/09/24	23-1487-46	Trash and debris throughout property	\$300.00	\$46.00
10/17/24	23-1487-47	Trash and debris throughout property	\$300.00	\$46.00
10/30/24	23-1487-48	Trash and debris throughout property	\$300.00	\$46.00
11/07/24	23-1487-49	Trash and debris throughout property	\$300.00	\$46.00
11/15/24	23-1487-50	Trash and debris throughout property	\$300.00	\$46.00
11/25/24	23-1487-51	Trash and debris throughout property	\$300.00	\$46.00
12/03/24	23-1487-52	Trash and debris throughout property	\$300.00	\$46.00
12/11/24	23-1487-53	Trash and debris throughout property	\$300.00	\$46.00
12/27/24	23-1487-54	Trash and debris throughout property	\$300.00	\$46.00
03/06/25	23-1487-55	Trash and debris throughout property	\$300.00	\$46.00
03/14/25	23-1487-56	Trash and debris throughout property	\$300.00	\$46.00
04/25/24	24-845-1	Overgrown landscaping	\$50.00	\$46.00
05/06/24	24-845-2	Overgrown landscaping	\$150.00	\$46.00
05/14/24	24-845-3	Overgrown landscaping	\$300.00	\$46.00
05/22/24	24-845-4	Overgrown landscaping	\$300,00	\$46.00
06/06/24	24-845-5	Overgrown landscaping	\$300.00	\$46.00
06/17/24	24-845-6	Overgrown landscaping	\$300.00	\$46.00
07/01/24	24-845-7	Overgrown landscaping	\$300.00	\$46.00
07/09/24	24-845-8	Overgrown landscaping	\$300.00	\$46.00
07/19/24	24-845-9	Overgrown landscaping	\$300.00	\$46.00
08/05/24	24-845-10	Overgrown landscaping	\$300.00	\$46.00
08/13/24	24-845-11	Overgrown landscaping	\$300.00	\$46.00
08/27/24	24-845-12	Overgrown landscaping	\$300.00	\$46.00



DATE	CITATION #	DESCRIPTION	CITATION AMOUNT	CITY EXPENSE/ LIEN FEE
09/04/24	24-845-13	Overgrown landscaping	\$300.00	\$46,00
09/12/24	24-845-14	Overgrown landscaping	\$300.00	\$46.00
10/01/24	24-845-15	Overgrown landscaping	\$300.00	\$46.00
10/09/24	24-845-16	Overgrown landscaping	\$300.00	\$46.00
10/17/24	24-845-17	Overgrown landscaping	\$300.00	\$46.00
10/30/24	24-845-18	Overgrown landscaping	\$300.00	\$46.00
11/07/24	24-845-19	Overgrown landscaping	\$300.00	\$46.00
11/15/24	24-845-20	Overgrown landscaping	\$300.00	\$46.00
11/25/24	24-845-21	Overgrown landscaping	\$300.00	\$46.00
12/03/24	24-845-22	Overgrown landscaping	\$300.00	\$46.00
12/11/24	24-845-23	Overgrown landscaping	\$300.00	\$46.00
12/27/24	24-845-24	Overgrown landscaping	\$300.00	\$46.00
03/06/25	24-845-25	Overgrown landscaping	\$300.00	\$46.00
03/14/25	24-845-26	Overgrown landscaping	\$300.00	\$46.00
		SUB TOTAL	\$35,000.00	\$4,872.00
		TOTAL AMOUNT DUE	\$39,872.00	According to the second



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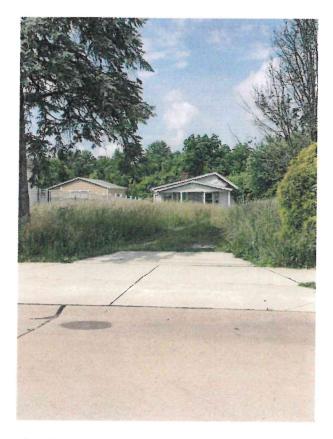
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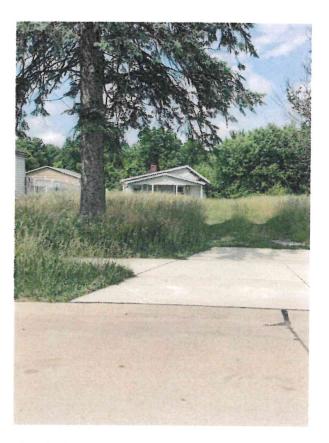
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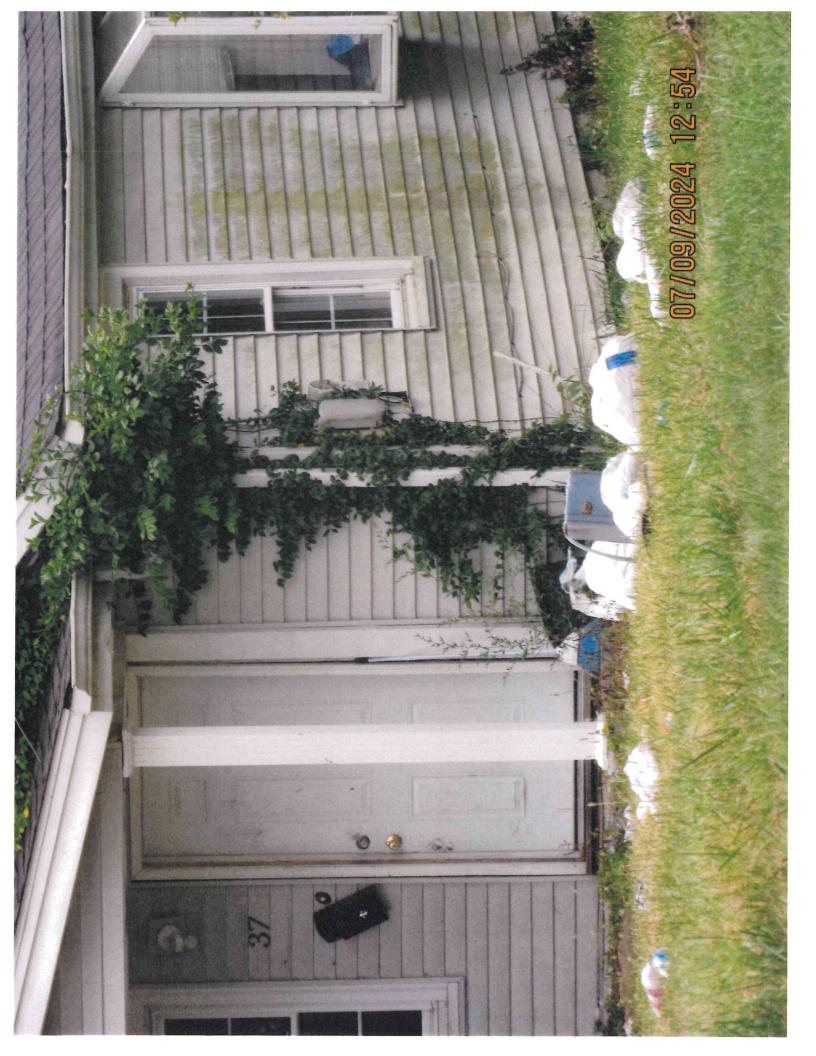
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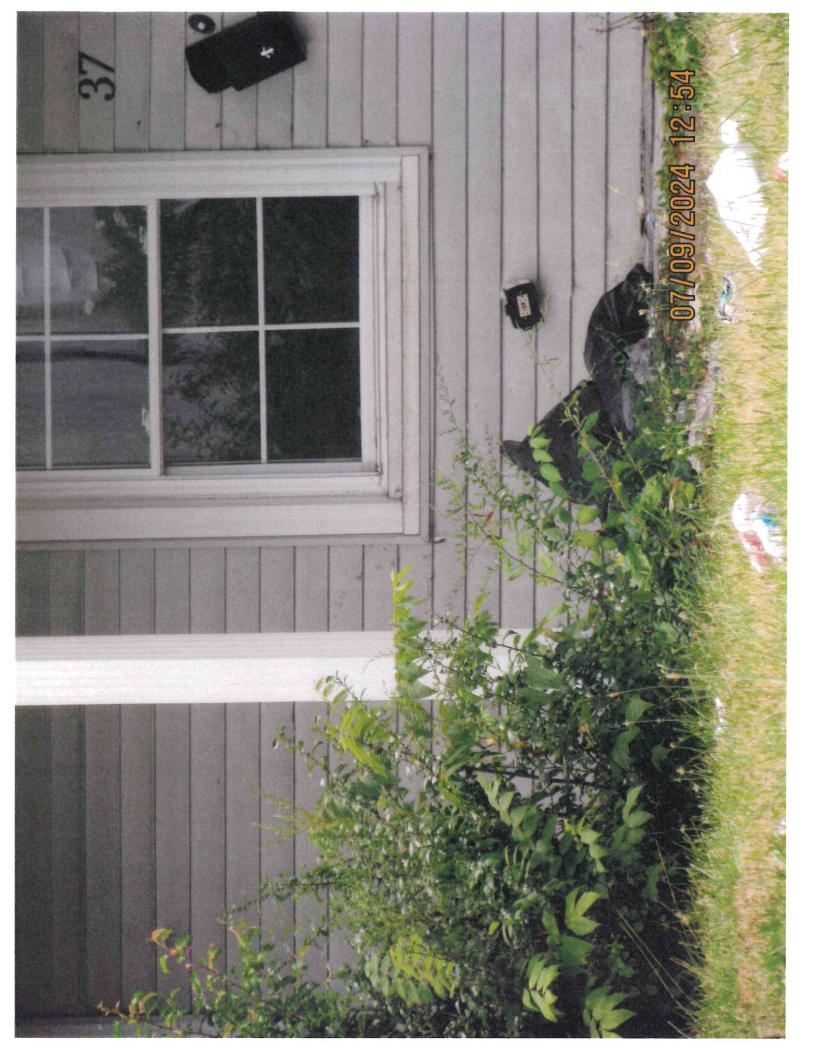
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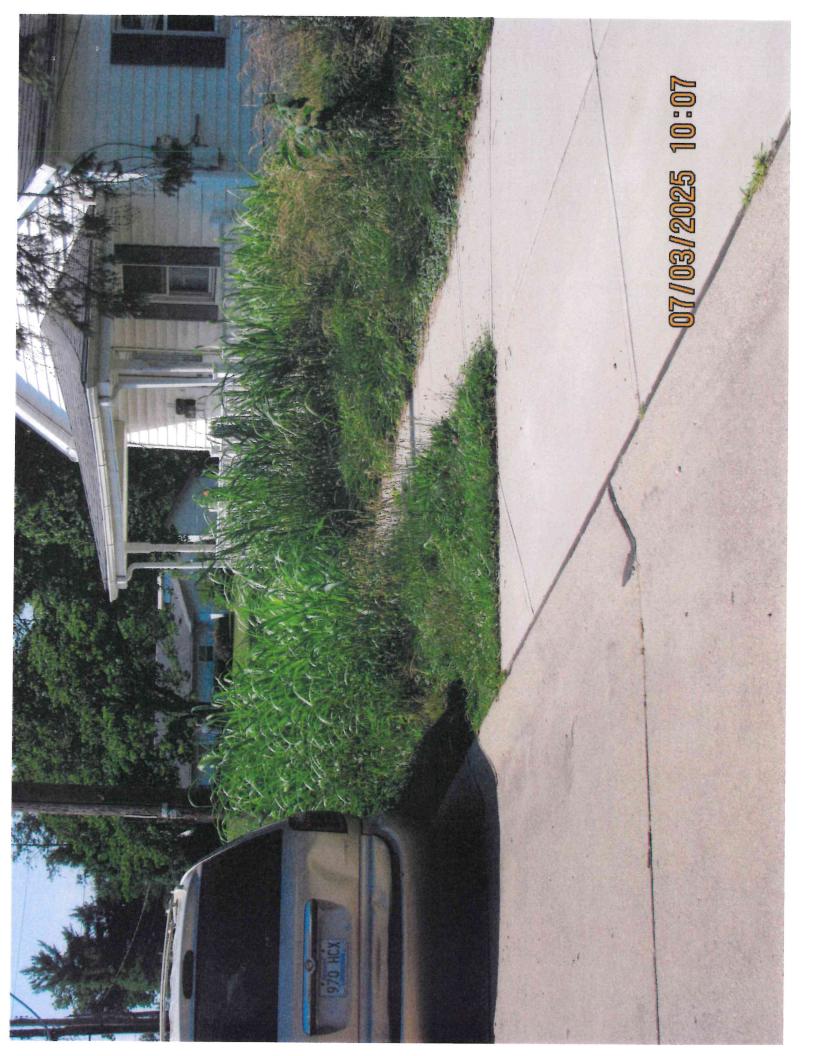


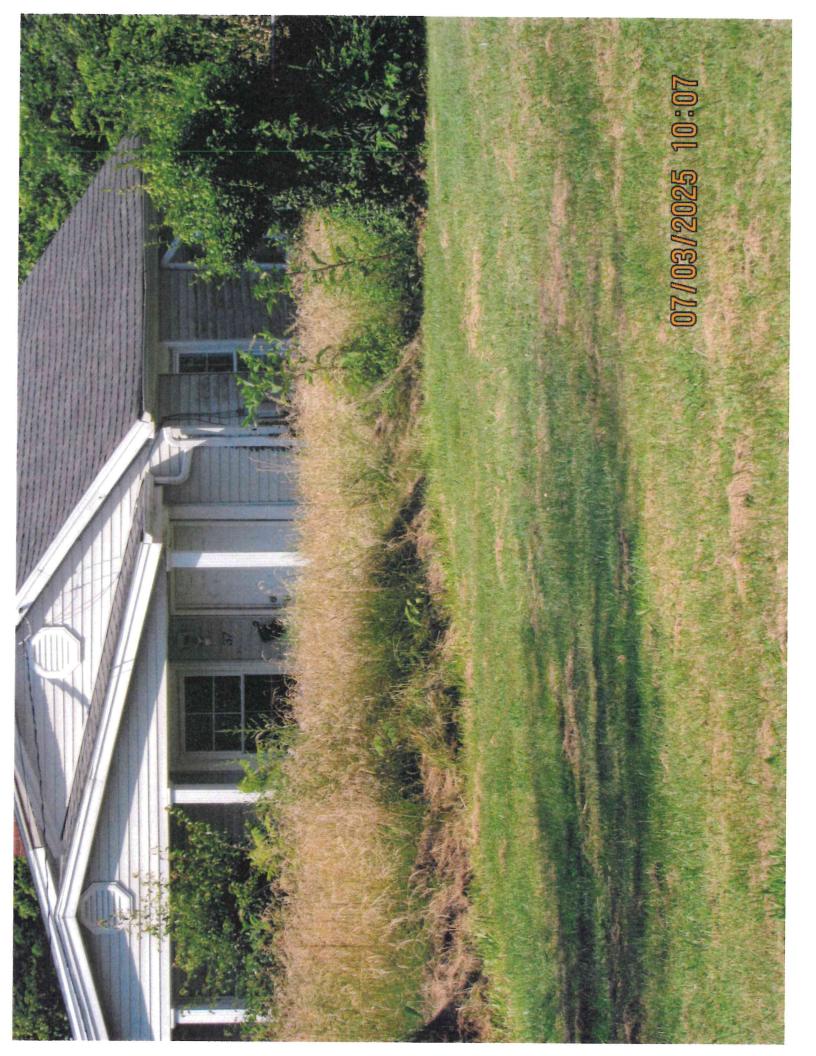












## **KYIBRS REPORT**

## COMMONWEALTH OF KENTUCKY



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## **KYIBRS REPORT**

## **COMMONWEALTH OF KENTUCKY**

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# **KYIBRS REPORT: VICTIM SUPPLEMENT**

## **COMMONWEALTH OF KENTUCKY**

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Page 3 of 6

Incident Number: 23008354

Agency ORI: 0080200

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# **KYIBRS REPORT: WITNESS SUPPLEMENT**

## **COMMONWEALTH OF KENTUCKY**

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Page 4 of 6

Incident Number: 23008354

Agency ORI: 0080200

Badge #

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## **KYIBRS REPORT: NARRATIVE**

#### COMMONWEALTH OF KENTUCKY

#### SYNOPSIS:

On 6/16/2023, at approximately 1559 hours, officers responded to 37 Goodridge Dr. in reference to an active terroristic threatening call. The caller, city employee John Outman, stated that the resident at 37 Goodridge Dr., Burr Travis, was threatening him and another employee. Outman stated that he works with the City of Florence Code Enforcement, and was attempting to mow Travis' yard. During this altercation, a neighbor, Francisco Guzman Bravo, attempted to speak with Travis. Travis stated that Bravo drove his truck onto his property and almost struck him.

Taylor, F38

#### INVESTIGATION:

On 6/16/2023, at approximately 1559 hours, officers responded to 37 Goodridge Dr. in reference to an active terroristic threatening call. Upon arrival, officers made contact with the caller, city employee John Outman.

Outman stated that the resident at 37 Goodridge Dr., Burr Travis, was threatening him and another employee. Outman stated that Travis screamed at him and the other employee, "Get of my fucking lawn". Outman stated that he works with the City of Florence Code Enforcement, and was attempting to mow Travis' yard. Outman stated that, during this altercation, a neighbor, Francisco Guzman Bravo, attempted to speak with Travis about the issue. Outman stated that Bravo parked his truck in between the sidewalk and Travis' yard. Outman stated that Travis continued to yell at Bravo and Code Enforcement. Outman stated that Bravo then drove into Travis' yard and across Travis' driveway to turn around. Outman stated that Bravo's truck did appear to almost strike Travis.

Upon making contact with Travis, Travis was yelling and being uncooperative. Travis stated that he did not want code enforcement to mow his lawn, and stated that his neighbor almost struck him with his truck. Officers did observe tire tracks in Travis' yard. Travis continued to yell had to be told several times to calm down and be quiet.

Officers made contact with another witness, Cristobal Roman-Castanon. Castanon stated that he observed the altercation, but did not think that Bravo was close to striking Travis with the truck.

Bravo drove back to the scene and wanted to speak with officers about the incident. Bravo stated that he approached Travis to help the Outman, due to Travis acting belligerent. Bravo stated that he attempted to tell Travis to move several times, but Travis continued to yell.

Travis demanded that officers arrest Bravo. Officers advised Travis that a report would be completed for Wanton Endangerment 2nd Degree and Criminal Trespassing 3rd Degree, but an arrest could not be made due to the incident occurring outside of officers' presence. Travis continued to be argumentative and began filming officers. At this time, due to contradicting statements from witnesses, there is not sufficient evidence for a criminal complaint to be filed.

## ATTACHMENTS:





# CITY OF FLORENCE, KENTUCKY - CODE ENFORCEMENT BOARD FORECLOSURE NO. <u>001-2025</u> NOTICE OF HEARING/RECOMMENDATION FOR FORECLOSURE

TO:

Burr Travis III 37 Goodridge Drive Florence, KY 41042

Property Address: 37 Goodridge Drive, Florence, Kentucky 41042 Property Description: LOT 20 & PTS 18 19 NON-PARIEL (F4-24-3)

Notice is hereby given that on the 2<sup>nd</sup> day of April, 2025, at 10:00 a.m. in the City Council Chamber at the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky 41042, the attached Recommendation will be presented to the City of Florence Code Enforcement Board. Pursuant to Ordinance Number O-33-05, the Board will consider whether the criteria listed in Section 1 of that Ordinance exist and whether to make a recommendation to the Florence City Council that a Civil Suit seeking money damages be filed and an order of sale of the subject property be sought.

THIS PROCEEDING MAY RESULT IN A JUDGEMENT OF SALE OF THE PROPERTY.

Dated this 21st day of March, 2025.

Melissa Kramer, CKMC

Secretary, City of Florence Code Enforcement Board

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 21<sup>st</sup> day of March 2025, I mailed a copy of the foregoing via USPS Certified Mail and USPS first class mail to Burr Travis III, 37 Goodridge Drive, Florence, KY 41042.

Melissa Kramer, CKMC

Secretary, City of Florence Code Enforcement Board

City Clerk, City of Florence, Kentucky

## CITY OF FLORENCE, KENTUCKY - CODE ENFORCEMENT BOARD FORECLOSURE NO. 001-2025 RESOLUTION RECOMMENDING FORECLOSURE

IN RE:

Property at 37 Goodridge Drive, Florence, Kentucky 41042

Owner: Burr Travis III

WHEREAS, pursuant to due notice, a hearing was held before the City of Florence, Kentucky Code Enforcement Board on the 2<sup>nd</sup> day of April, 2025, pursuant to Ordinance No. O-33-05 to consider a Recommendation under that Ordinance, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, the Code Enforcement Board considered the Recommendation and all evidence admitted relative thereto and submits the following to the Florence City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CODE ENFORCEMENT BOARD OF THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

#### SECTION ONE

The Board finds that the factual allegations of the Recommendation have been proved by competent evidence.

#### SECTION TWO

The Board concludes that the criteria contained in Ordinance No. O-33-05 for a Recommendation that the City Council institute civil action seeking collection of all outstanding fines and costs, and enforcement by judicial sale of the property have been met.

#### SECTION THREE

The Code Enforcement Board hereby recommends to the City Council that it authorize and direct the City Attorney to file such suit seeking foreclosure.

On Motion duly made and seconded that this Resolution be passed the members of the Board voted as follows:

JAMES JOHNSON	Yes ■ No □
RICK ROWLAND	Yes ■ No □
LANCE HOWARD	Yes ■ No □
BILL SHARP	Yes ■ No □
DAVID SPILLE	Yes ■ No □

Accordingly, this Resolution is duly adopted.

JAMES JOHNSON, CHAIRMAN CITY OF FLORENCE, KENTUCKY CODE ENFORCEMENT BOARD

I, Melissa Kramer, Secretary of the City of Florence, Kentucky Code Enforcement Board do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Board on the 2<sup>nd</sup> day of April, 2025, and that same remains in full force and effect and is duly lodged in the records kept by me as Secretary of the Board.

Dated this day of April, 2025.

MELISSA KRAMER, CITY CLERK/

SECRETARY, CODE ENFORCEMENT BOARD



#### **PUBLIC SERVICES DEPARTMENT**

# Memorandum

To: Eric Hall, Public Services Director

From: Jeremy Kleier, Community Services Superintendent

Date: March 14, 2025

Re: Recommendation to Code Enforcement Board

City of Florence Ordinance O-33-05 established criteria and procedures to be followed by the City of Florence Code Enforcement Board in making recommendations to the Florence City Council for the initiation of judicial proceedings to enforce liens filed against real estate as a result of unpaid civil fines, charges, and fees imposed by the Board or incurred by the City for code violations.

The following property meets the criteria:

Property Address: 37 Goodridge Drive

Legal Description: LOT 20 & PTS 18 19 NON-PARIEL (F4-24-3)

Parcel ID: 061.24-28-003.00 Assessed Value: \$103,700 Owner of Record: Travis Burr J III

Owner Address: 37 Goodridge Drive, Florence, KY 41042

 Whether the violator has been given notice of the violation as required by Section VII and Section IX of Ordinance No. O-10-16.

Answer: Yes, all notices have been given in accordance with Ordinance No. O-10-16.

Whether a civil suit seeking money damages only against the violator or a civil proceeding seeking a judicially ordered sale of the subject property will be the appropriate course of action.

<u>Answer:</u> Due to several factors including the chronic nature of the violations, public health and safety concerns, a refusal by the owner to make corrections and outstanding code enforcement fines currently on the property totaling \$39,688.00, a civil proceeding seeking a judicially ordered sale is an appropriate next step.

Whether the conduct of the violator has demonstrated indifference to or disregard for the necessity of compliance with the applicable City Ordinance by statement, conduct, or inaction with regard to the violation.

Answer: There have been violations on the property since May 2023. No contact has been received from the property owner despite 103 Uniform Citations posted to the property. The City attempted to abate the violations with our contractor Merkle Lawn Care in June 2023, however the homeowner came outside with a weapon and kicked the contractor off the property. The Police were contacted and advised the contractor to stay off the property. The property owner was subpoenaed to appear at the October 2023 Code Enforcement Board meeting but did not show. Contact was made with the property owners' father and mother in an attempt to find a resolution. Mother warned us about her sons' mental health and violent tendencies. Father had advised he would get the property into compliance and was provided a lien payoff quote in October 2024. Human Services Administrator Katie James was able to arrange through Crossroads Church for Dave w/Odd Jobs to clean up the property. After one day of work the property owner threw appliances and other debris into the front yard. All avenues to assist the property owner have been exhausted.

4. Whether the violation(s) which is/are the subject of the liens constitute a present danger to the public health, safety or welfare of the residents in the vicinity, or materially interfere with the peaceful enjoyment of adjacent property.

<u>Answer:</u> Yes, all violations are a danger to the public health, safety or welfare of the residents in the vicinity, and interfere with the peaceful enjoyment of adjacent property. City has received multiple complaints from neighbors about the condition of this property and the negative effects to the neighborhood.

5. The period of time for which the violation has existed must be considered in relation to the severity of the threat to the public health, safety or welfare of the residents in the vicinity.

Answer: The current violations have threatened the public health, safety and welfare of nearby residents since May 2023.

Whether three convictions of the same violation have been found to exist since the enactment of these criteria.

**Answer:** Fifty-five convictions for accumulation of trash and debris on the property. Forty-six convictions for high weeds on the property.

As demonstrated above, all criteria have been met, and I recommend the Code Enforcement Board make a recommendation to City Council to initiate judicial proceedings against this property.





# CITY OF FLORENCE, KENTUCKY NOTICE OF HEARING/RECOMMENDATION FOR FORECLOSURE

TO:

Burr J. Travis, III 37 Goodridge Drive Florence, KY 41042

Property Address:

37 Goodridge Drive, Florence, Kentucky 41042

Property Description: LOT 20 & PTS 18 19 NON-PARIEL (F4-24-3)

Notice is hereby given that on the 8<sup>th</sup> day of July 2025, at 6:00 p.m. in the Council Chamber at the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky 41042, the Florence City Council will conduct a hearing on the attached Resolution of the City of Florence, Kentucky Code Enforcement Board in Foreclosure No. 001-2025, 37 Goodridge Drive in Florence, Kentucky. Pursuant to Ordinance No. O-33-05, City Council will determine whether to authorize and direct a civil suit seeking money damages for unpaid fines and costs and an Order of Sale of the subject property in satisfaction of the Code Enforcement Board Liens.

THIS PROCEEDING MAY RESULT IN A JUDICIAL SALE OF THE PROPERTY.

Dated this 23rd day of June, 2025.

Melissa Kramer, CKMC

City Clerk/ Secretary, Code Enforcement Board

## CERTIFICATE OF SERVICE

I Colob H. 5 how, Police Officer for the City of Florence, Kentucky, hereby certify that I personally delivered a copy of the foregoing to the residence of Travis J. Burr III, 37 Goodridge Drive, Florence, Kentucky 41042 on this 23 M day of June , 2025.
day of wat, Plotence, Rentucky 41042 on this 123 to day of 1042, 2025.
er ofi
Police Officer, City of Florence Kentucky

## CITY OF FLORENCE, KENTUCKY - CODE ENFORCEMENT BOARD FORECLOSURE NO. 001-2025 RESOLUTION RECOMMENDING FORECLOSURE

IN RE:

Property at 37 Goodridge Drive, Florence, Kentucky 41042

Owner: Burr Travis III

WHEREAS, pursuant to due notice, a hearing was held before the City of Florence, Kentucky Code Enforcement Board on the 2<sup>nd</sup> day of April, 2025, pursuant to Ordinance No. O-33-05 to consider a Recommendation under that Ordinance, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, the Code Enforcement Board considered the Recommendation and all evidence admitted relative thereto and submits the following to the Florence City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CODE ENFORCEMENT BOARD OF THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

#### SECTION ONE

The Board finds that the factual allegations of the Recommendation have been proved by competent evidence.

#### **SECTION TWO**

The Board concludes that the criteria contained in Ordinance No. O-33-05 for a Recommendation that the City Council institute civil action seeking collection of all outstanding fines and costs, and enforcement by judicial sale of the property have been met.

#### SECTION THREE

The Code Enforcement Board hereby recommends to the City Council that it authorize and direct the City Attorney to file such suit seeking foreclosure.

On Motion duly made and seconded that this Resolution be passed the members of the Board voted as follows:

JAMES JOHNSON	Yes	No □
RICK ROWLAND	Yes	No □
LANCE HOWARD	Yes	No 🗆
BILL SHARP	Yes ■	No 🗆
DAVID SPILLE	Yes ■	No 🗆

Accordingly, this Resolution is duly adopted.

JAMES JOHNSON, CHAIRMAN CITY OF FLORENCE, KENTUCKY CODE ENFORCEMENT BOARD

I, Melissa Kramer, Secretary of the City of Florence, Kentucky Code Enforcement Board do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Board on the 2<sup>nd</sup> day of April, 2025, and that same remains in full force and effect and is duly lodged in the records kept by me as Secretary of the Board.

Dated this day of April, 2025.

MELISSA KRAMER, CITY CLERK/

SECRETARY, CODE ENFORCEMENT BOARD



#### **PUBLIC SERVICES DEPARTMENT**

# Memorandum

To: Eric Hall, Public Services Director

From: Jeremy Kleier, Community Services Superintendent

Date: March 14, 2025

Re: Recommendation to Code Enforcement Board

City of Florence Ordinance O-33-05 established criteria and procedures to be followed by the City of Florence Code Enforcement Board in making recommendations to the Florence City Council for the initiation of judicial proceedings to enforce liens filed against real estate as a result of unpaid civil fines, charges, and fees imposed by the Board or incurred by the City for code violations.

The following property meets the criteria:

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Parcel ID: 061.24-28-003.00 Assessed Value: \$103,700 Owner of Record: Travis Burr J III

Owner Address: 37 Goodridge Drive, Florence, KY 41042

1. Whether the violator has been given notice of the violation as required by Section VII and Section IX of Ordinance No. O-10-16.

Answer: Yes, all notices have been given in accordance with Ordinance No. O-10-16.

2. Whether a civil suit seeking money damages only against the violator or a civil proceeding seeking a judicially ordered sale of the subject property will be the appropriate course of action.

<u>Answer:</u> Due to several factors including the chronic nature of the violations, public health and safety concerns, a refusal by the owner to make corrections and outstanding code enforcement fines currently on the property totaling \$39,688.00, a civil proceeding seeking a judicially ordered sale is an appropriate next step.

Whether the conduct of the violator has demonstrated indifference to or disregard for the necessity of compliance with the applicable City Ordinance by statement, conduct, or inaction with regard to the violation.

Answer: There have been violations on the property since May 2023. No contact has been received from the property owner despite 103 Uniform Citations posted to the property. The City attempted to abate the violations with our contractor Merkle Lawn Care in June 2023, however the homeowner came outside with a weapon and kicked the contractor off the property. The Police were contacted and advised the contractor to stay off the property. The property owner was subpoenaed to appear at the October 2023 Code Enforcement Board meeting but did not show. Contact was made with the property owners' father and mother in an attempt to find a resolution. Mother warned us about her sons' mental health and violent tendencies. Father had advised he would get the property into compliance and was provided a lien payoff quote in October 2024. Human Services Administrator Katie James was able to arrange through Crossroads Church for Dave w/Odd Jobs to clean up the property. After one day of work the property owner threw appliances and other debris into the front yard. All avenues to assist the property owner have been exhausted.

4. Whether the violation(s) which is/are the subject of the liens constitute a present danger to the public health, safety or welfare of the residents in the vicinity, or materially interfere with the peaceful enjoyment of adjacent property.

Answer: Yes, all violations are a danger to the public health, safety or welfare of the residents in the vicinity, and interfere with the peaceful enjoyment of adjacent property. City has received multiple complaints from neighbors about the condition of this property and the negative effects to the neighborhood.

5. The period of time for which the violation has existed must be considered in relation to the severity of the threat to the public health, safety or welfare of the residents in the vicinity.

**Answer:** The current violations have threatened the public health, safety and welfare of nearby residents since May 2023.

Whether three convictions of the same violation have been found to exist since the enactment of these criteria.

<u>Answer:</u> Fifty-five convictions for accumulation of trash and debris on the property. Forty-six convictions for high weeds on the property.

As demonstrated above, all criteria have been met, and I recommend the Code Enforcement Board make a recommendation to City Council to initiate judicial proceedings against this property.



#### FINDINGS OF FACT

This matter came on for hearing before the Florence City Council on July 8, 2025, at 6:00 p.m., regarding Burr Travis, III, 37 Goodridge Drive, Florence, Kentucky, pursuant to Ordinance No. O-33-05. After hearing, and consideration of all evidence submitted, the Florence City Council makes the following Findings of Fact and Recommendation:

- 1. Burr Travis, III has received proper notice of all violations and hearings as required by the City of Florence Code Enforcement Ordinance.
- 2. Currently there are 102 Code Enforcement Liens filed against 37 Goodridge Drive, Florence, Kentucky.
- 3. In all, there have been 102 Citations issued against 37 Goodridge Drive, Florence, Kentucky.
- 4. Burr Travis, III has not taken reasonable efforts to comply with the Code Enforcement Ordinance and he has demonstrated a continuous refusal to comply by his conduct and inaction.
- 5. Burr Travis, III has allowed 37 Goodridge Drive, Florence, Kentucky, to reach such a state of disrepair that it constitutes a present danger and nuisance to the public at large and particularly to the residents in the vicinity of 37 Goodridge Drive, Florence, Kentucky.
- 6. Burr Travis, III's disregard of and refusal to comply with the Code Enforcement Ordinance has persisted over an extended period in excess of 2 years. He has shown no indication that he will ever attempt to reasonably comply with the Code Enforcement Ordinance and/or prior agreements.

- 7. Burr Travis, III has never filed a formal appeal from any Code Enforcement Board action.
- 8. Burr Travis, III has received over 3 of the same violations which have been found to exist for an extended period of time.
- 9. Filing a civil suit seeking money damages and foreclosure against Burr Travis, III would be appropriate under the circumstances and the only course of action available to the City at this time.
- 10. As of the July 8, 2025 hearing, there is a total due and owing the City for fines, penalties, costs, fees, and Lien charges in the amount of \$39,872.00. The amount of 35,000.00 is due and owing for fines, and \$4,872.00 is due and owing for Lien expense and City "out-of-pocket" expense.

### Recommendation

Based upon the Findings of Fact, the Florence City Council hereby recommends that a Municipal Order be entered directing the following:

- 1. The City Attorney be and he is hereby authorized and directed to immediately initiate a civil proceeding against Burr Travis, III for the collection of all outstanding fines, penalties, interest, costs, attorney's fees, and any and all other charges permitted under the Code Enforcement Ordinance and/or Kentucky Revised Statutes.
- 2. The civil proceeding is directed to recover all monetary damages incurred by the City; seek an Order and Judgment directing the sale of the property located at 37 Goodridge Drive, Florence, Kentucky; and to seek any and all other relief as may be permitted and authorized under the Code Enforcement Ordinances and/or Kentucky Revised Statutes.

Yes □	No 🗆	DIANE E. WHALEN Vice Mayor
Yes □	No □	ANGIE CABLE Council Member
Yes □	No 🗆	LESLEY CHAMBERS Council Member
Yes □	No □	DAVID M . SCHNEIDER Council Member
Yes □	No □	PATRICIA WINGO Council Member
Yes □	No 🗆	GARY WINN Council Member



#### MUNICIPAL ORDER NO.

A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUIT SEEKING JUDGMENT FOR UNPAID CIVIL FINES AND SALE OF THE SUBJECT PROPERTY (37 GOODRIDGE DRIVE) IN SATISFACTION OF THE JUDGMENT.

WHEREAS, the City of Florence Code Enforcement Board has on multiple occasions considered property maintenance code violations with respect to real property located at 37 Goodridge Drive, Florence, Kentucky, owned by Burr Travis, III, and

WHEREAS, the property owner has failed to respond to any notice of violation or citation issued by the City of Florence Code Enforcement Board officers by either correcting the violations or requesting a hearing before the Board, and

WHEREAS, fines in excess of \$39,872.00, plus costs and attorney's fees, have been assessed against the property and liens have been filed against the property to secure payment of these fines, and

WHEREAS, the Code Enforcement Board by Resolution in Foreclosure Action No. 001-2025 has recommended to the City Council that a civil suit be filed in the Boone Circuit Court seeking recovery of the unpaid fines, and

WHEREAS, the City Council conducted a hearing on such recommendation on July 8, 2025, pursuant to Ordinance No. O-33-05, and

WHEREAS, it is determined that the conduct of the property owner has demonstrated indifference to and disregard for the necessity of compliance with the applicable City Ordinances by inaction with regard to each of these violations and nonpayment of civil fines, and

WHEREAS, these violations collectively constitute a present danger to the public health, safety and welfare of the residents of the City of Florence and materially interfere with the peaceful enjoyment of adjacent property.

NOW, THEREFORE, BE IT ORDERED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

#### **SECTION I**

That the City Attorney shall file suit, on behalf of the City, in the Boone Circuit Court seeking relief as follows:

- a. A judgment for all civil fines and associated costs which have been assessed against 37 Goodridge Drive, Florence, Kentucky;
- b. A determination that the liens filed on behalf of the City are valid liens subject to enforcement by the Court; and
  - c. Sale of the subject property in satisfaction of the Code Enforcement Board liens.

PASSED AND APPROVED ON THIS 8 <sup>th</sup>	DAY OF JULY, 2025.
	APPROVED:
	MAYOR
ATTEST:	
CITY CLERK	