



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, APRIL 5, 2017**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, April 5, 2017 in the Council Chambers 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, Rick Rowland, Lance Howard, Dave Spille and Bill Sharp.

Also present were Code Enforcement Board Attorney Hugh Skees, Code Enforcement Officer Dale Jesensky, Public Services Superintendent Jeremy Kleier, Fire Marshal Kevin Vogelpohl, Police Officer Samantha Riley, City Clerk Erin Courts, Donald Meagher (Case No. 2017-048-PM,) Thomas Knipfer (Case No. 2017-049-PG & 2017-066-PG) and Stephanie Reardon (Case No. 2017-078-ZG.)

Chairman Johnson administered the oath to Code Enforcement Officer Jesensky, Public Services Superintendent Jeremy Kleier and Police Officer Samantha Riley.

APPROVAL OF MINUTES:

March 1, 2017 Board Meeting

Chairman Johnson called for a motion to approve the minutes of the March 1st, 2017 meeting of the Code Enforcement Board. Code Board member Howard so moved with second from Code Board member Rowland. Code Board member Sharp was present not voting.

OATH OF OFFICE:

Code Enforcement Board Members Dave Spille and Lance Howard

Code Enforcement Board Attorney Hugh O. Skees gave the Oath of Office to Code Enforcement Board Members Dave Spille and Lance Howard (three-year terms).

CONTESTED CASES:

Case No. 2017-049-PG & 2017-066-PG
Present and sworn-in: Thomas Knipfer

City of Florence vs. Thomas Knipfer

Parking Citation No. 1834 & 1835
Officer: Officer Ewald

Ordinance No. O-12-01
Violation 02689
Parking Violation

107 Buckingham Court, Florence, KY 41042

(1) Improperly parked vehicle

Violation: Resolved
\$60.00: Unpaid (2 Parking violations)

Ruling: Mr. Knipfer stated that he was not there when the first violation was given. He didn't see it until a few days later and then he received a second violation and the vehicle was towed. He agreed that the vehicle was parked in the wrong direction but was not parked on the wrong side of the street. After he received the first violation, he tried to start the vehicle and it needed a battery. The Board stated that he had enough time between the first violation and the second to remove the vehicle and he did not.

The Board ruled unanimously to uphold the violations.

Case No. 2017-078-ZG
Present and sworn-in: Stephanie Reardon

City of Florence vs. 7740 Plantation LLC

Citation No. DS-2015-342
Officer: Dave Strickley

Ordinance No. O-16-08
Section 3420
Zoning Violation

7740 Plantation Drive, Florence, KY 41042
(1) Yard signs displayed without a permit (Florence Crossing)

Violation: Resolved
\$2,051.00: Unpaid (Lien on property)

Motion to reopen the case:
Motion: Board member Spille
Second: Board member Rowland

Ruling: Ms. Reardon was the Manager of the apartment complex from December 2014 until September 2016. She remembers receiving the \$25 citation which she paid but stated that the other violations must have gone to the incorrect mailing address of the Corporate Office due to relocation. She knew nothing of the lien or the \$2,051.00 fine on the property until last month when they went to renew their license. They are in compliance and she is no longer the manager of that complex. There was a motion to dismiss the lien and all fines.

Motion to dismiss:
Motion: Board member Rowland
Second: Board member Howard

Approved by unanimous vote

Continued Cases:

Case No. 2017-048-PM

City of Florence vs Donald Meagher

Present and Sworn in: Donald Meagher

Update: (37 Grand Avenue) The City of Florence inspector went to the property and found that the creek is not causing any erosion on that property which Mr. Meagher disagreed with. Mr. Meagher told the Code Board members that some of the debris has been removed but not all of it and told them that he would remove the remaining debris when they agree to fix the issue and that he wanted a second opinion. Dale told Mr. Meagher that he could hire his own engineer if he pleased or he could file a claim with the District Court and that his attorney would have the information on how to go about that. The board members gave a motion that Mr. Meagher has seven (7) days to clean up the remaining debris or he would be in total violation.

Motion to give Mr. Meagher 7 days to comply:

Motion: Board member Spille

Second: Board member Sharp

Approved by unanimous vote

PARKING CASES:

Police Officer Samantha Riley asked the Board to uphold the fifteen (15) parking cases.

Chairman Johnson noted the following people were not present regarding the fifteen (15) parking violations brought against them:

Case No. 2017-057-PG – City of Florence vs Jeffery Morris	Citation #1804 (Warning)
Case No. 2017-058-PG – City of Florence vs Ryan Pyles	Citation #1805 (Warning)
Case No. 2017-060-PG – City of Florence vs Tangela Hardwick	Citation #2055
Case No. 2017-061-PG – City of Florence vs Cincinnati Bell	Citation #1810
Case No. 2017-062-PG – City of Florence vs Simon Bihl	Citation #1807 (Warning)
Case No. 2017-064-PG – City of Florence vs Mike Roberts	Citation #1808
Case No. 2017-065-PG – City of Florence vs Devin Lee	Citation #5715
Case No. 2017-067-PG - City of Florence vs Charles Terry	Citation #1989
Case No. 2017-068-PG - City of Florence vs Alicia Anderson	Citation #1990
Case No. 2017-070-PG - City of Florence vs Darlene Simpson	Citation #3697
Case No. 2017-071-PG - City of Florence vs Darlene Simpson	Citation #3698
Case No. 2017-073-PG - City of Florence vs Alexandre Paoli	Citation #2124
Case No. 2017-074-PG - City of Florence vs Nicholas Stroud	Citation #1860
Case No. 2017-075-PG - City of Florence vs Yan Mendez	Citation #1754
Case No. 2017-076-PG - City of Florence vs Yan Mendez	Citation #1755

Motion: Board Member Sharp

Second: Board Member Rowland

Ruling: Uphold motion carries

Board: Approved by unanimous vote

PAID PARKING CASES:

Case No. 2017-059-PG – City of Florence vs Janet Dudding Citation #1806
Case No. 2017-063-PG – City of Florence vs Kenneth Reveal Citation #1811
Case No. 2017-069-PG - City of Florence vs Walter Tomas Citation #1836
Case No. 2017-072-PG - City of Florence vs Santos Garcia Citation #0665

ANIMAL CONTROL CASES:

None

OCCUPATIONAL LICENSE CASES:

None

FIRE PREVENTION CASES:

None

RESOLVED CASES/PAID:

Case No. 2017-081-ZG – City of Florence vs James & Joan Hornback Citation #DJ-2017-024
Case No. 2017-082-ZG – City of Florence vs Jenny Rice Citation #DJ-2017-025
Case No. 2017-084-ZG – City of Florence vs Cole Lo Florence KY LLC Citation #DJ-2017-029
Case No. 2017-086-ZG – City of Florence vs Timber Holdings LLC Citation #DS-2017-014

UPDATED CASES:

Case No. 2017-052-ZG City of Florence vs. KY CVS Pharmacy LLC

Update: Dale wanted to update the Code Board on CVS Pharmacy. Everyone has met to go over what is needed. The City has everything together as well as CVS. CVS has drawn up plans and the City has reviewed them, made their changes and sent them back. They have also submitted them to the Planning Commission and as of now they are doing everything that the City wants them to do. If it gets approved, they will also have to take it to the State to get the pipe expansion approved. So far everything is going well. There was a motion to continue case until next month.

Motion to continue until May:
Motion: Board member Spille
Second: Board member Rowland

Case No. 2016-537-PM City of Florence vs Intergroup Pine Lake Inc.

Update: Fire Marshal Vogelpohl spoke with Amber, the Property Manager at the apartment complex two days ago. Fire Marshal Vogelpohl, Officer Jesensky and Amber met with the National Director of Property Maintenance several weeks ago and walked around the complex. He stated that the collapsed stairs have been replaced, repaired and completed. As of April 3rd, two hundred (200) individual steps have been replaced with another two hundred (200) more to be replaced in the coming month. Intergroup Pine Lake Inc. has hired a welder out of Texas to come and fix the landings and balconies of all of the units. They have been advised that they will need to get their Occupational License to work in the City. They will be getting an engineering report for the balconies. It will be several months before all of the work is completed. The National Director of Property Maintenance called the owner and told him what needed to be fixed and told him that the owner just needed to let him do it and had the money for the repairs. They are spending the money to fix it. They are also going to fix the water and erosion issues.

There is quite a bit of work going on and Fire Marshal Vogelpohl advised to just keep continuing the case.

Motion to continue the case:

Motion: Board member Spille

Second: Board member Sharp

REQUEST FOR SUBPOENAS:

None

ATTORNEY'S REPORT:

Mr. Skees mentioned that two of the Code Board members were sworn in for another 3 year term.

OTHER:

Fire Marshal Vogelpohl wanted to update the Code Board members about the property on 8055 Dixie Highway, a commercial building that had significant damage from the storms last month. The roof collapsed, they have structural damage and the building is shifting. This property currently cannot be occupied but employees are trying to get into the building to remove equipment so that they can keep working. The Police Department has been getting calls and Fire Marshal Vogelpohl spoke with Jeremy regarding the issue. The owner out of Texas had a structural engineering firm come in and survey the building and he deemed that it should not be occupied. On March 29th, Fire Marshal Vogelpohl went to the property and posted a "Do Not Enter" sign at the building under the property maintenance code. The owner will probably tear the building down and start over.

ADJOURNMENT:


There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board member Howard so moved, with second from Board member Spille, and **unanimous approval of the Board**, the time being 10:41 a.m.

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APPROVED:


James E. Johnson, Chairman

ATTEST:


Erin M. Courts, Secretary