



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

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, July 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, Bill Sharp and Dave Spille.

Also present were Code Enforcement Board Attorney Hugh Skees, Code Enforcement Officer Dale Jesensky, Public Services Superintendent Jeremy Kleier, Police Officer Samantha Riley, City Coordinator Alex Mattingly, City Clerk Erin Courts, Officer Allen, Kathleen Bell Black (Case No. 2017-160-PG,) Attorney Marcus Carey (Case No. 2017-178-ZG, representing BBMJD Properties LLC) and David Brown (witness for Case No. 2017-178-ZG - BBMJD Properties LLC.)

APPROVAL OF MINUTES:

June 5, 2017 Board Meeting

Chairman Johnson called for a motion to approve the minutes of the June 5, 2017 meeting of the Code Enforcement Board. Code Board Member Sharp so moved with second from Code Board Member Howard.

OATH:

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

CONTESTED CASES:

Case No. 2017-160-PG

City of Florence vs. Daniel Black

Present and sworn-in: Kathleen Nell Black

Parking Citation No. #1406

Officer: Officer Allen

Ordinance No. O-4-85

Overtime Parking

28 Miriam Drive, Florence, KY 41042

(1) Overtime Parking, vehicle not moved in 24 hours

Violation: Remedied

Fine: \$30: Unpaid

Ruling: Ms. Black was present with verification that she and her family were on vacation and she was unaware of the 24 hour parking rule in the City of Florence. She was also not made aware until after she received the ticket that she can call the City and let them know when she

will be traveling if the vehicles need to be parked longer than 24 hours. She asked that the fine be dismissed and the citation be forgiven.

Motion to dismiss fine and citation:
Motion: Board member Sharp
Second: Board member Rowland

A roll call vote was taken with 4 out of 5 approving the motion to dismiss citation and fine.

Case No. 2017-178-ZG **City of Florence vs. BBMJG Properties LLC**
Present and sworn-in: David Brown (General Manager at A-One Pallet)
Present: Attorney Marcus Carey

Citation No. DJ-2017-071
Officer: Dale Jesensky

Ordinance No. O-8-14
Section: 3002 & 3314

7435 Industrial Road, Florence, KY 41042

1. Grading behind the building without an approved grading permit (19th offense)
2. Unimproved lot behind the building (19th offense)

Violation: Un-remedied
Fine: \$600: Unpaid

Ruling: An overview of the case was presented by Officer Jesensky describing the violations that were issued to BBMJG Properties LLC. Officer Jesensky has been in contact with the owners of the company, Brian Bush and Bobby Irvin. The liens holders have been in contact with Officer Jesensky to find out what is going on, Officer Jesensky let them know of the citations. Attorney Marcus Carey gave his knowledge of the case stating that BBMJG Properties never received any citations from the City of Florence. Attorney Carey stated that BBMJG Properties is not on Industrial Road, that there are no employees from BBMJG Properties at 7435 Industrial Road. Everyone at that property works for A-One Pallet which is the tenant, not BBMJG which is the landlord and property owner. Attorney Carey brought a witness that works for A-One Pallet. Code Enforcement Board Attorney Mr. Skees clarified that there have been 19 citations issued on this property and that will accelerate the penalties on later citations and that they are not mute because they still exist. Attorney Carey asked Officer Jesensky a series of questions. Attorney Carey then called David Brown as a witness; he is a Manager for A-One Pallet. He claimed that he does not know anything about BBMJG properties and that he never received a citation from Officer Jesensky. Officer Jesensky told Chairman Johnson that he delivered a citation to Mr. Brown and Mr. Brown signed for it. Mr. Brown claimed that he didn't know what he was signing and was told by the owner of the company that he was not authorized to sign for the citation. There was a motion to uphold the citation.

Motion to uphold fines & citation:
Motion: Board member Spille
Second: Board member Rowland

A roll call vote was taken with 5 out of 5 approving the motion to uphold citation and fine.

ANIMAL CONTROL CASES:

Case No. 2017-179 – AC – City of Florence vs Theresa Sebree
Case No. 2017-180 – AC – City of Florence vs Eric Troxel

Citation #F-19822
Citation #AC19743

No one was present for either of these citations.

Motion to uphold citations:

Motion: Rowland
Second: Sharp

PARKING CASES:

Police Officer Samantha Riley asked the Board to uphold the thirteen (13) parking cases.

Chairman Johnson noted the following people were not present regarding the thirteen (13) parking violations brought against them:

Parking Cases: Upheld by Officer Riley.

Case No. 2017-161-PG – City of Florence vs Kenneth Ray Terry	Citation #1637
Case No. 2017-163-PG – City of Florence vs Leslie Craft	Citation #1528
Case No. 2017-164-PG – City of Florence vs EAN Holdings LLC	Citation #1997
Case No. 2017-165-PG – City of Florence vs Gilder Juane Temaj-Pablo	Citation #0878
Case No. 2017-167-PG – City of Florence vs Oscar Lopez	Citation #2040
Case No. 2017-168-PG – City of Florence vs Richard Allen	Citation #1998
Case No. 2017-169-PG – City of Florence vs Shannon Ramey	Citation #0376
Case No. 2017-170-PG – City of Florence vs Bobby Fowler	Citation #1961
Case No. 2017-171-PG – City of Florence vs Shannon Ramey	Citation #1756
Case No. 2017-172-PG – City of Florence vs Edward Henry	Citation #1999
Case No. 2017-173-PG – City of Florence vs Doneice Harvin	Citation #0551
Case No. 2017-174-PG – City of Florence vs Heather Lokesak	Citation #0377
Case No. 2017-176-PG – City of Florence vs Travis Pelcha	Citation #1302
Case No. 2017-177-PG – City of Florence vs Fidel Vera	Citation #2276

Motion: Board Member Howard
Second: Board Member Sharp

Ruling: Uphold motion carries
Board: Approved by unanimous vote

PAID PARKING CASES:

Case No. 2017-162-PG – City of Florence vs Joanne Caldwell
Case No. 2017-166-PG – City of Florence vs Adam Mardis
Case No. 2017-175-PG – City of Florence vs David Burkhouse

Citation #1638
Citation #2275
Citation #1301

ANIMAL CONTROL CASES:

None

OCCUPATIONAL LICENSE CASES:

None

FIRE PREVENTION CASES:

None

RESOLVED CASES/PAID:

Case No. 2017-182-ZG - City of Florence vs Cole Lo Florence KY LLC Citation #DJ-2017-070
Case No. 2017-191-PM - City of Florence vs Jason Shearer/Christy Feist Citation #JK-2017-19

CONTINUED CASES:

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

Update: (Officer Jesensky)

- Concrete work is complete
- They are slowly making progress but still in violation
- Spending a lot of money to fix what needs to be fixed
- Having issues with finding someone to do the metal work to reinforce all of the landings.

Motion to continue the case until August:

**Motion: Board member Spille
Second: Board member Rowland**

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

Update: (Officer Jesensky)

- Pipe & Head wall have been approved by KDOT
- The regrading looks great
- New yard box
- They are refusing to grass cut
- The main part that the City was concerned about has been complete.

Motion to continue the case until August:

**Motion: Board member Sharp
Second: Board member Spille**

REQUEST FOR SUBPOENAS:

None

ATTORNEY'S REPORT:

Alex Mattingly gave an overview of the 3 Foreclosing properties. All properties have gone to City Council and were approved by them to continue the Foreclosure process.

Mr. Skees had no report.

OTHER:

Board Member Sharp asked about Argo Management and Officer Jesensky confirmed that the building was painted and it is up to code.

Chairman Johnson reminded the Board that the next meeting will take place on Wednesday, August 2nd, 2017.

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ADJOURNMENT:

There being no further business to come before the Board, Chairman Johnson called for a motion to adjourn. Board member Sharp so moved, with second from Board Member Howard, and **unanimous approval of the Board**, the time being 10:42 a.m.

CITY OF

APPROVED:

James E. Johnson
James E. Johnson, Chairman

ATTEST:

Erin M. Courts
Erin M. Courts, Secretary

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