



**CODE ENFORCEMENT BOARD
MINUTES: WEDNESDAY, FEBRUARY 7, 2018**

The City of Florence, Kentucky Code Enforcement Board met at 10:00 a.m. on Wednesday, February 7, 2018 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 four (4) Board members: Jim Johnson, Rick Rowland, Lance Howard and Dave Spille. Absent was Bill Sharp.

Also present were Code Enforcement Board Attorney Hugh Skees, Code Enforcement Officer Dale Jesensky, Code Enforcement Officer Mike Macaluso, Code Enforcement Officer Brian DeCarlo, Kevin Vogelpohl, Battalion Chief/Fire Marshal, Public Services Superintendent Jeremy Kleier, Deputy City Clerk Deb McCarty, Administration Secretary, Nancy Zeilman, Thomas Ollier case # 002-2018 and Jon Bowling, Deutsche Bank Nat'l Trust case #2018-42-PM/ZG.

APPROVAL OF MINUTES:

January 3, 2018 Board Meeting

Chairman Johnson called for a motion to approve the minutes of the January 3, 2018 meeting of the Code Enforcement Board. Code Board Member Howard so moved with second from Code Board Member Spille.

OATH:

Chairman Johnson administered the oath to Code Enforcement Officer Dale Jesensky, Code Enforcement Officer Mike Macaluso, Code Enforcement Officer Brian DeCarlo, and Public Services Superintendent Jeremy Kleier.

CONTESTED CASES:

Case No. 2018-01- pm/zg

City of Florence vs. Deutsche Bank Nat'l Trust

Present and sworn-in: Jon Bowling, representative of Deutsche Bank

Citation No. MM-2018-26

Officer: Mike Macaluso

Ruling:

1. Property in Mr. Wood's name. We received notification that it went to Deutsche Bank and Trust Company. Sent a letter on 12/1 notifying of multiple code violations. Multiple citations were issued after that date. When inspected it had high grass, roof needs repair, gutters need repair. On 1/22/18 Mr. Bowling gave notification that he wanted to contest. Upon inspection this week on 2/6/18 all cited violations are in compliance. The amount of fines due is \$4800.00.
2. Mr. Jon Bowling appeared and represented Deutsche Bank. Mr. Bowling stated that Mr. Woods stayed in the property longer than allowed keeping them from making repairs. Once he vacated the 2nd week of January, they brought all violations into code within two weeks. He requested that the Board waive all fines and citations. There were no liens placed on the property.

Violation: In compliance

Fine: 4800.00

MOTION TO DISMISS ALL FINES AND CITATIONS.

MOTION : Board Member Spille

SECOND: Board Member Howard

APPROVED BY UNANIMOUS VOTE

Note: Mr. Skees stated that in addition to the following two foreclosure discussions, there is another pending for C.A.R.S.. Resolution was passed and paperwork drafted but because of the change of personnel in the City Clerk office, it was not carried forward. If either of the following go to foreclosure, Mr. Skees recommends the Code Board put the C.A.R.S. case on the same tract and forward to City Council.

FORECLOSURE DISCUSSION AND ACTION

Case No. 001-2018

City of Florence vs. Thomas B. Angel Jr. Estate

Present and sworn-in: No one appeared

Property Address: 7640 Burlington Pike

Legal Description: 1.6171 AC Burlington Pk (F1-1-2)

Assessed Value \$496,740.00

Owner of Record: Thomas B. Angel Jr., Estate

Owner Address: 3800 Sugarberry Drive, Hebron, KY 41048

Ordinance: 0-33-15

Ruling: Vacant property. Jeremy Kleier making recommendation for foreclosure. Dr. Angel died and Jeremy Kleier was contacted by Dr. Angel's children in 2011. There has been no contact since that time. Multiple code violations have been issued to the property. It is a safety concern because it continues to be vandalized, public dumping debris, trucks and trailers parked in lot. This case has been ongoing since 2011 and the family will not make any attempt to bring it into code. There are 10 convictions for high weeds, 7 for disabled vehicle, 4 rubbish and debris, 3 unsecured structured. It has been secured over and over but nothing stops the numerous break-ins. There are over \$7500.00 in fees and liens to the property

MOTION TO: RECOMMEND FORECLOSURE TO CITY COUNCIL

Motion: Board Member Spille

Second: Board Member Howard

APPROVED BY UNANIMOUS VOTE

NOTE: Mr. Skees noted that technically, the action just taken is a resolution.

Case No. 002-2018

City of Florence vs. Thomas E. Ollier

Present and sworn-in: Thomas Ollier

Officer: Jeremy Kleier

Ordinance No. 0-33-15

Property Address: 12 Cardinal Drive

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Legal Description: LOT 12 Earlwood Sub 1st Add (F1-3-5)

Assessed Value: \$87,150

Owner of Record: Thomas E. Ollier

Owner Address: 12 Cardinal Drive

Ruling: Jeremy Kleier stated that there are excess of \$12,000 fines and liens on the property. There are chronic violations with history back to 2005. There has been action 34 times at the property since 2005. There are reoccurring violations (3 trash, debris, weeds, 9 disabled vehicle, 7 hazardous tree). Due to re-occurring violations and amount of fines, it is recommended the action be foreclosure. There are liens on the property.

Mr. Ollier appeared and expressed the following: He apologized for the condition of the property. He does not live there but was aware of the tree problem. He said he did not receive the violations because he rents the property to others and the citations were not forwarded to him.

He told the renters, who have been there since 2000, that they must move and have the property cleaned up by today's date 10:00 a.m. Once they are gone, Mr. Ollier will make the needed repairs.

Mr. Ollier will have his actual address changed on the deed. He is asking that the Board hold the foreclosure until he has the opportunity to clean up the property and bring it into compliance. He would also like to work with the Board on the fines.

There are \$12,000 in liens and fines toward the property.

MOTION: #1 This motion will decide if the resolution to recommend foreclosure should be presented to City Council.

Motion: Board Member Rowland Code Board Resolution NOT be sent to City Council
Motion: Board Member Howard
1 present not voting

MOTION CARRIED

Motion : #2 What length of time should be given to Mr. Ollier to bring the house into code.

Motion: Board Member: Rowland Continue to March meeting and receive update on
progress from Mr. Ollier.
Motion: Board Member Howard
1 present not voting

MOTION CARRIED

12 Cardinal Drive will not be forwarded to City Council for foreclosure. This case will be continued in the March meeting with an update from Mr. Ollier on how improvements are progressing. He is to keep in touch with Jeremy Kleier.

PARKING CASES:

There were 7 parking cases – 2 which are paid
Chairman Johnson noted the following people were not present regarding the parking violations brought against them and they will be upheld.

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Case 2018-001-PG	City of Florence vs Virginia Watkins	Citation #1534
Case 2018-003-pg	City of Florence vs Elizabeth Switzer	Citation #1535
Case 2018-005-KO	City of Florence vs Stephanie Noonon	Citation #1536
Case 2018-006-MG	City of Florence vs Brandy Martin	Citation #0350
Case 2018-007-RF	City of Florence vs MSC Industrial Direct	Citation #0557

ANIMAL CONTROL CASES:

None

OCCUPATIONAL LICENSE CASES: 13 cases – 2 cases dropped

- Raymond E. Orfaly Trust. Murphy Oil on U.S. 42. Paid the same day of citation
- Sole Purpose Foot Care, she had filed her license under DBA.

Case No.	2018-008-OC	City of Florence vs	C.A.R.S.	Citation#	MM-2018-03
Case No.	2018-009-OC	City of Florence vs	McTown Property	Citation#	MM-2018-05
Case No.	2018-010-OC	City of Florence vs	LLC Kaiser Daycare	Citation#	MM-2018-06
Case No.	2018-011-OC	City of Florence vs	Inc. Berling	Citation#	MM-2018-08
Case No.	2018-012-OC	City of Florence vs	Construction Co	Citation#	MM-2018-09
Case No.	2018-013-OC	City of Florence vs	Mitsuyo&Shigeru	Citation#	MM-2018-10
Case No.	2018-014-OC	City of Florence vs	Raymond E. Orfaly Trust	Citation#	MM-2018-11Drp
Case No.	2018-015-OC	City of Florence vs	C.A.R.S.	Citation#	MM-2018-15
Case No.	2018-016-OC	City of Florence vs	McTown Property LLC	Citation#	MM-2018-16
Case No.	2018-017-OC	City of Florence vs	Berling Construction	Citation#	MM-2018-19
Case No.	2018-018-OC	City of Florence vs	Sole Purpose Foot Care	Citation#	MM-2018-22Drp
Case No.	2018-019-OC	City of Florence vs	SVAX, KY, Inc.	Citation#	MM-2018-23
Case No.	2018-020-OC	City of Florence vs	C.A.R.S.	Citation#	MM-2018-28
Case No.	2018-021-OC	City of Florence vs	McTown Property LLC	Citation#	MM-2018-29

FIRE PREVENTION CASES:

None

RESOLVED CASES/PAID:

None

CITATION ISSUED – NO RESPONSE – FINAL ORDER (20)

Case No.	2018-22-PM	City of Florence vs	Manuel Carpio	Citation#	MM-2018-01
Case No.	2018-23-PM/ZG	City of Florence vs	Deutsche Bank Nat'l Trust	Citation#	MM-2018-02
Case No.	2018-24-PM/ZG	City of Florence vs	BB&T	Citation#	MM-2018-04
Case No.	2018-25-PM	City of Florence vs	Norihisa Noda	Citation#	MM-2018-12
Case No.	2018-26-PM	City of Florence vs	American Homes 4 Rent	Citation#	MM-2018-13 Pd
Case No.	2018-27-PM/ZG	City of Florence vs	BB&T	Citation#	MM-2018-17
Case No.	2018-28-PM/ZG	City of Florence vs	Deutsche Bank Nat'l Trust	Citation#	MM-2018-18
Case No.	2018-29-PM	City of Florence vs	Norihisa Noda	Citation#	MM-2018-21
Case No.	2018-30-PM	City of Florence vs	Darrell & Melodie Schalk	Citation#	MM-2018-25
Case No.	2018-31-PM/ZG	City of Florence vs	Deutsche Bank Nat'l Trust	Citation#	MM-2018-26
Case No.	2018-32-PM/ZG	City of Florence vs	BB&T	Citation#	MM-2018-27
Case No.	2018-33-PM/ZG	City of Florence vs	Thomas Angel Jr Estate	Citation#	DJ-2018-001
Case No.	2018-34-ZG	City of Florence vs	Home Depot U.S.A	Citation#	DJ-2018-002
Case No.	2018-35-Z	City of Florence vs	Cole Lo Florence KY LLC	Citation#	DJ-2018-003 Pd

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Case No.	2018-36-ZG/N	City of Florence vs	Thomas Oilier	Citation#	DJ-2018-004
Case No.	2018-37-ZG	City of Florence vs	Anthony Jones & Cindy Wade	Citation#	DJ-2018-005
Case No.	2018-38-PM	City of Florence vs	William Starks	Citation#	DJ-2018-007
Case No.	2018-39-ZG	City of Florence vs	Rose & Steven Young	Citation#	DJ-2018-008
Case No.	2018-40-PM	City of Florence vs	John Mullins	Citation#	DJ-2018-009
Case No.	2018-41-ZN	City of Florence vs	Christopher Miller	Citation#	DJ-2018-10 Pd

CONTINUED CASES: (2)

Case No. 2016-537-PM - City of Florence vs Intergroup Pine Lake Citation #DJ-2016-147-162

UPDATE: There was a fire at Pine Lakes. They are working on porches and balconies. They are working with Boone County Building to obtain the proper permits

Motion to continue to March meeting:

Motion: Board member Spille

Second: Board member Howard

Approved by unanimous vote

Case No. 2017-052-ZG – City of Florence vs KY CVS Pharmacy Citation #DJ-2017-004

UPDATE: CVS is complete – Up to Code and all fines are paid.

ATTORNEY'S REPORT:

No report was given

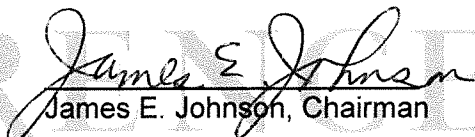
OTHER BUSINESS:

The July 4th meeting falls on a holiday. Because of that, the July meeting will be on July 11th.

ADJOURNMENT:

Chairman Johnson reminded the Board that the next meeting will take place on Wednesday, March 7th, 2018

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 Rowland, and **unanimous approval of the Board**, the time being 10:35 a.m.

CITY OF
FLORENCE
 APPROVED:

 James E. Johnson, Chairman
 KENTUCKY®

ATTEST:


 Nancy Zeilman, Secretary