



COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
F O U N D E D 1 7 9 8
CODE ENFORCEMENT AND NUISANCE BOARD
SPECIAL CALL MINUTES
CITY HALL COMMISSION CHAMBER
OCTOBER 20, 2025 4:30 PM

CALL TO ORDER – Chairman LaPointe called the hearing to order at 4:31 PM

ROLL CALL – The roll was called for Board Members.

MEMBERS PRESENT – Antony LaPointe, Ben Bruni, Jose Gonzalez, Jeff Holman

MEMBERS ABSENT – Kenan Mujkanovic

APPROVAL OF MINUTES – The September 23, 2025 minutes were approved as written.

LaPointe made a motion to approve the September 23, 2025 minutes as written.

Gonzalez seconded the motion.

The motion passed with a four to zero vote.

ROLL CALL: Yes – LaPointe, Bruni, Gonzalez, Holman
No – None

STAFF WAS SWORN IN

➤ **APPEALS**

Agenda Item 2025-51 Code Compliance

Case #2023-4164, Citation #2023-8155.55

Location: 1002 State Street

Owner: Tina M. Hutchison

Respondent: Simpson Firm/Blake Beliles

Officer: Sanja Dudaric

Citation Fine: \$1,006.04

The case was originally scheduled to be heard during the September hearing. The Simpson Firm is representing Mrs. Hutchison, and requested the case be moved to the next hearing. That request was granted by the CENB Clerk. The Firm would like to make a request to move the case to the November hearing. Mr. Blake Beliles from the Simpson firm is present to make that request.

Mr. Beliles stated Ms. Hutchison has hired Alan Simpson to represent her. After viewing previous hearing recordings, Mr. Beliles understood the hearings to be held every fourth Tuesday of the month. The date for October 28th would have worked with the Firms' schedule but upon finding out the hearing was moved to October 20, this presented a scheduling conflict for Mr. Simpson. Mr. Beliles stated Ms. Hutchison would prefer Mr. Simpson to be present to cover this case. Mr. Beliles said if the Board would grant the request to move to November, they have no intention of asking for another continuance but will move forward today if the request is not granted.

Jeff Holman advised Mr. Beliles the Board would be voting to move the November hearing from Tuesday, 11/25 to Monday, 11/17. The City Attorney verified the dates and that it was due to the holiday and it would be voted on at the end of this hearing.

LaPointe made a motion to move the case to the November hearing.

Bruni seconded the motion.

The motion passed with a four to zero vote.

ROLL CALL: Yes –LaPointe, Brun, Gonzalez, Holman

No – None

Case #2023-4164 will be heard during the November hearing.

Agenda Item 2025-52 Code Compliance

Case #2025-7897, Citation #2025-11674.1

Location: 1631 Pleasant Way

Owner: Jordan Steff & Bryant Kirby

Respondent: Attorney Chris Minix

Officer: Sanja Dudaric

Citation Fine: \$256.04

Officer Dudaric presented the case. The case is a complaint-based case. During an inspection of the property on 7/31/2025, the following violations were observed: accumulation of landscape debris including, but not limited to fallen trees, tree branches, shed/accessory structure in disrepair. A Notice of Violation was sent on 8/1/2025 to the PVA listed property owner and address with a compliance date of 9/1/2025. Photos of the shed, fallen tree and debris were shown. On 8/5/2025 the owner contacted staff to say the violations were almost all cleaned up. On 9/3/2025, ACO Jessica Farris notified the Compliance Division Manager of a make-shift barrier installed around the perimeter of the back yard preventing her from conducting a follow up inspection for her animal ordinance violation case. On 9/17/2025, the property was inspected and remained in violation. A citation was issued, posted on the property and mailed to the PVA listed property owner and address. A compliance date of 9/29/2025, was listed on the citation. While posting the citation, the property owner came outside to ask about the citation. The owner was advised the citation was for the structurally unsound fence and unauthorized materials used for the fence. The owner was instructed to contact the City Attorney since the owner had legal representation for a previous case. As of 10/20/2025, the property remains in violation for no permit for the original fence, unauthorized fencing material, a box next to a car in the driveway that has been sitting there for over a month, and the plastic tarp is still on the fence. As of 10/20/2025, the case has remained open for 81 days.

Attorney Chris Minix came to the podium and questioned Officer Dudaric. Mr. Minix asked the officer to state her name, position, and how long has she been employed by the City. Mr. Minix then asked if Officer Dudaric had been observing the property and Officer Dudaric stated yes. Mr. Minix asked the officer how many times she has been to the property. The officer replied three times and once today, so four. Mr. Minix asked the officer how many times she has cited properties for an improper fence and the officer replied she was unsure of the count. Mr. Minix asked how many times in the last month and the officer replied one and added she has been out of the office for the last two and a half weeks. Mr. Minix asked if the officer has cited an improper fence once per month, and the officer replied not necessarily.

Mr. Minix asked the officer what brought attention to the property owner's fence and the officer replied an ACO was onsite to do a follow up inspection, and notified staff about the fence. Regarding the building and branches in the back yard, Mr. Minix asked the officer if she was aware they were no longer there and the officer replied that the inspection could not be completed. According to staff the owner did make contact to say he was taking cleaning up the property. Mr. Minix asked is it normal for the property to be considered to be in violation even though the owner has cleaned it up.

The officer replied "if I cannot complete an inspection, I do not know it has been cleaned up". Mr. Minix stated the position of the owner is the plastic is a screen, not a fence, the owner is not trying to create a fence. The officer informed Mr. Minix on the Notice of Violation, there is language pertaining what materials can and cannot be used for fencing. Mr. Minix asked the officer how she gained access to view the property and the officer replied permission was granted to enter a property next door by a neighbor. Mr. Minix asked if the neighbor asked for the officer to enter his property to look behind the owner's property and the officer replied yes, she spoke to the neighbor. Mr. Minix asked the officer how the plastic tarp injures, endangers, or annoys the public, as it is intended to keep persons from peering /viewing his property and the officer replied it is unauthorized fencing materials, the owner may put up a privacy fence after securing a permit. Mr. Minix asked the officer why the owner was not given opportunity to cure the violation rather than cite him and the officer replied the owner was sent a Notice of Violation.

Bryant Kirby came to the podium, and was sworn in.

The owner stated the shed was actively being torn down between the week the officer was at the property and when the Notice was received. The shed was no longer there. By the time the original Notice was issued, it was removed by the time the officer came back. Then a citation was issued for something not previously notified for. The owner claims he was cited for something he wasn't aware was an issue. LaPointe asked what is the purpose of the fence? The owner replied to keep the chickens in. LaPointe asked if there was a permit for the metal fence, and there was not. The City Attorney explained she was consulted by staff on how to proceed after a statement made by the property owner to ACO Jessica Farris. According to ACO Farris, the property owner stated he would trespass any officer that came to his property. The City Attorney directed them to cite the property and said the law says, "may give notice" not that the City has to give notice. The City Attorney asked the owner if he has chickens and he replied yes, but the roosters are gone as requested. The City Attorney asked the owner if he has more than five chickens and he replied yes. The City Attorney advised the owner that is an ordinance violation. The owner proceeded to say there is a Warren County statute that protects right to farm, and he had all the corresponding paperwork back in July. The City Attorney stated it has been explained to him that his property is in the City limits and his property does not meet those qualifications. The owner asked if that could be explained, and the City Attorney said yes, but that is not for this hearing.

LaPointe made a motion to uphold the citation and fine.

Holman seconded the motion.

The motion passed with a four to zero vote.

ROLL CALL: Yes -LaPointe, Bruni, Gonzalez, Holman

No - None

Citation #2025-11674.1 and fine of \$256.04 are upheld.

Agenda Item 2025-53 Code Compliance

Case #2025-7688, Citation #2025-11452.4

Location: 0 Crewdson Drive, PVA Parcel #039B-21-014

Owner: Light Mission Pentecostal Church of BG

Respondent: Mfatiye Selestino

Officer: Will Meng

The case is the result of a proactive inspection on 7/28/2025. The violation observed on the property was overgrown grass. A Courtesy Notice was sent to the PVA listed owner and address on 7/28/2025. On 8/5/2025, the property was inspected and remained in violation. A Notice of Violation was sent to the PVA listed owner and address, having a new inspection date of 8/11/2025. On 8/15/2025, an attempt to contact the property owner was made without success. On 9/02/2025, the property was inspected and remained in violation. Additional searches for valid contact information were made. On 9/15/2025, the property was inspected and remained in violation. Additional searches for valid contact information were made. On 9/17/2025, contact with the property owner was attempted without success.

On 9/24/2025, additional attempts to contact the owner were made without success. On 9/26/2025, the property was inspected and remained in violation. A door tag was posted on the PVA-listed property owner's address. On 10/3/2025, a citation was issued, and a work order for a City contractor to mow the property was issued.

The respondent, Mfatiye Selestino came to the podium and was sworn in.

Mr. Selestino stated they did not know the law. Mr. Selestino's group has been in Bowling Green for 18 years. Mr. Selestino stated this is the first property they have owned, and they do not know most of the laws. Mr. Selestino saw an officer one day in the neighborhood and asked if the City was going to help remove the fallen trees. Mr. Selestino stated they cut the grass back 25 feet from the street thinking that would be okay, since they saw other properties that were not completely cut down.

LaPointe made a motion to uphold the Citation, Fine and Work Order Fee.

Gonzalez seconded the motion.

The motion passed with a four to zero vote.

ROLL CALL: Yes – LaPointe, Bruni, Gonzalez, Holman
No – None

Citation #2025-11452.4 and fine of \$106.04, and the Work Order Fee of \$280.00 are upheld for a total of fines/fees in the amount of \$386.04.

Agenda Item 2025-54 Code Compliance

Case #2025-2811, Citation #2025-4628.6

Location: 1618 Parkside Drive

Owner & Respondent: Terrez DeWalt

Officer: McKenna Tabor

The respondent was not present.

The Citation #2025-4628.6 and fine of \$1,006.04 stand as written.

➤ OLD BUSINESS – None

➤ NEW BUSINESS

Agenda Item 2025-55

Staff requested the November hearing be moved from Tuesday, 11/25 to Monday, 11/17 due to the holiday.

Gonzalez made a motion to move the November hearing from the Tuesday the 25th to Monday, the 17th.

LaPointe seconded the motion.

The motion passed with a four to zero vote.

ROLL CALL: Yes – LaPointe, Bruni, Gonzalez, Holman
No – None

➤ COMMENTS / ANNOUNCEMENTS –

➤ ADJOURNMENT - Motion to adjourn.

*Holman made a motion to adjourn the hearing at 5:08 PM.
Bruni seconded the motion.*

*ROLL CALL: Yes – LaPointe, Bruni, Gonzalez, Holman
No – None*

ADOPTED: _____November 17, 2025_____

APPROVED: B. R. B.
Code Enforcement and Nuisance Board Co-Chairperson

ATTEST: Pamela Boove
Code Enforcement and Nuisance Board Clerk