

COUNSEL: DAVID BRODERICK

**CITY OF BOWLING GREEN**  
F O U N D E D 1 7 9 8  
**CODE ENFORCEMENT AND NUISANCE BOARD**  
**MINUTES**  
**CITY HALL COMMISSION CHAMBER**  
**AUGUST 26, 2025 4:30 PM**

**CALL TO ORDER** – Co-Chair Ben Bruni, acting Chairperson, called the hearing to order.

**ROLL CALL** – The roll was called for Board Members.

**MEMBERS PRESENT** – Bruni, Gonzalez, Holman, Mujkanovic

**MEMBERS ABSENT** – Chairman LaPointe

**APPROVAL OF MINUTES** – The July 22, 2025 minutes were approved as written.

*Holman made a motion to approve the July 22, 2025 minutes as written.*

*Gonzalez seconded the motion.*

*The motion passed with a four to zero vote.*

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

**STAFF WAS SWORN IN**

➤ **APPEALS**

**Agenda Item 2025-45 Animal Protection**

Case #2025-5007, Citation #2025-7621.7

Location: 1631 Pleasant Way

Owner: Jordan E Steff & Bryant Kirby

Respondent: Chris Minnix, Attorney for Bryant Kirby

Officer: Jessica Farris

***Citation Fine: \$206.04***

Officer Farris presented the case. The case is the result of a citizen complaint on 5/30/2025. The complaint was for the shooting of a skunk and leaving the carcass in the yard, and a bad odor due to a large number of chickens. The property was inspected on 5/30/2025 and a Notice of Violation (NOV) was issued. The NOV was mailed to the PVA listed property owner. On 6/11/2025, the property was inspected, and remained in violation. An NOV was mailed to the PVA listed owner. On 6/25/2025, the property was inspected and remained in violation. A citation was issued, posted on the property, and mailed via first class and certified mail to the PVA listed owner. The citation was appealed and the case was heard at the July 22, 2025 hearing. During the hearing in July, the Board, by unanimous vote, upheld the citation and fine. On July 30, 2025 the property was inspected and remained in violation. A second citation was issued, posted on the property, and mailed via first class, and certified mail to the PVA listed property owner.



The second citation was appealed. The case has been open for 89 days and remains in violation. Chris Minnix, Attorney for the respondent, approached the podium to address to the Board. Mr. Minnix stated he reviewed the video from last month's hearing and the issue falls under the plain language of the ordinance. Mr. Minnix provided background information to the Board stating Mr. Kirby is in the business of raising chickens and selling the eggs for profit under a Kentucky LLC, The Kirby Farm LLC. Mr. Kirby organized the business on January 5, 2024, and the principal place of business is 1631 Pleasant Way. Mr. Kirby received an agricultural tax exemption account with the Department of Revenue on June 24, 2024. Mr. Kirby has been working with the Department of Agriculture and the Farm Service Agency to obtain financing to purchase a farm. These agencies require an applicant to have a minimum of three years' experience. Mr. Kirby's first purchase of fourteen chicks was in January 15, 2023. Mr. Minnix stated it was his understanding the ordinance was enacted in December 3, 2024, and Mr. Kirby was already in business in advance of the ordinance. Mr. Minnix continued stating Mr. Kirby currently has 22 hens and one rooster. The chickens lay eggs and Mr. Kirby stamps them and sells them. Code Compliance Division Manager, Brad Schargorodski clarified the ordinance was revised in December of 2024, however the livestock and poultry ordinance was preexisting. The language did not change, a few things were added but it was preexisting. Mr. Minnix asked what date was the ordinance enacted, and Brad stated he would get him that information. Mr. Minnix then proceeded to question Officer Farris. Mr. Minnix asked what took the officer to the property. Officer Farris replied a complaint was received to the office and she was dispatched to investigate. Mr. Minnix asked where the complaint is documented and he was told it would need to be an open records request to obtain that information. Mr. Minnix asked the officer if she knew who took in the complaint and the officer replied no, calls come in various ways. Mr. Minnis asked, how does the officer receive complaints? The officer replied they come through via CAD (BGPD), email, or phoned into the office. Mr. Minnix asked the officer if there was anyone with her that day. The officer responded no. Mr. Minnix inquired when responding to the call, where did the officer arrive. Did the officer arrive directly to the house or did she go to speak to the complainant. The officer replied she spoke to Mr. Kirby. The officer reported not being able to see much since the owner did not allow access to the back yard. The officer did report hearing a rooster crowing and that it was coming from the back yard. Mr. Minnix asked the officer, if she was called to the property because of the skunk or the chickens. The officer replied both. The officer reported on a follow up inspection, a neighbor granted access to their back yard so Mr. Kirby's yard could be viewed from there. It was during this inspection the officer was able to see numerous chickens and hear and saw a rooster. Mr. Minnix stated the chickens were confined and he asked the officer if that is accurate, and asked the officer how she defined confinement. The officer replied that there was a pen in Mr. Kirby's backyard and during some inspections the animals were in the pen and sometimes they were roaming free in the yard. Mr. Minnix asked, if there was a fence around the yard. The officer replied there was some fencing but was unsure if the entire yard had fencing. Mr. Minnix asked the officer, who the complainant was. Mr. Minnix was told that would be subject to open records. Mr. Minnix asked the officer if she had spoken to the complainant, and she replied she spoke with a neighbor residing at 1633 Pleasant Way. The officer stated she did not know if that neighbor was the complainant or not. Mr. Minnix asked the officer if she spoke to Mr. Kirby's wife. The officer replied yes, she was the one who answered the door, and after the conversation went back and forth a few times, Mr. Kirby finally came out to speak with the officer. Both parties denied access to the back yard. Mr. Minnix the questioned the officer about how many times the rooster was heard and the officer replied at least one time from the front yard.

*Mujkanovic made a motion to uphold the citation and fine of \$206.04.*

*Holman seconded the motion.*

*The motion passed with a four to zero vote.*

*ROLL CALL: Yes – Bruni, Gonzalez, Holman, Mujkanovic*

*No – None*

*The Citation and fine of \$206.04 are upheld*

➤ OLD BUSINESS – None



➤ NEW BUSINESS

**Agenda Item 2025-46 Code Compliance**

Case # 2024-10140

Location: 431 Park Row

Owner: Mark D Bitterling

Officer: Sanja Dudaric

***Request for Authorization for Per-Day Fine Citation***

Officer Dudaric presented the case. The case is the result of a citizen complaint on 12/17/2024. During the initial inspection the following violations were observed on the property. Chipping paint, protective treatment and overhang extension, and not maintaining in good repair. A Notice of Violation (NOV) was sent on 1/17/2024. On 1/22/2025, the property was inspected and remained in violation. On 2/12/2025, contact with the property owner via phone was attempted without success. On 2/21/2025, a door tag was left on the property for the owner, but no contact was made. On 2/27/2025, a relative of the owner called to say they would be starting repairs to the property in a week. On 3/14/2025 phone contact was attempted with the owner's relative without success. The property was inspected on 3/19/2025, and remained in violation. A citation was issued, posted on the property and mailed to the PVA listed owner. On 4/1/2025, the owner contacted staff saying they are trying to get a contractor hired and have had many cancel on them. On 4/22/2025, the property was inspected and remained in violation. A citation was issued, posted on the property and mailed to the PVA listed owner. On 5/6/2025, the property was inspected and the overhang extension was repaired. On 6/3/2025 a door tag was left in an attempt to contact the owner without success. On 6/17/2025 a voicemail was left for both the property owner and the relative with no successful contact. On 7/9/2025, the property was inspected and remained in violation. A citation was issued, posted on the property and mailed to the PVA listed owner. The remaining violations are chipping paint and missing siding. There is a note in the window a remodel is in progress, but there has been no further communication with our office. The property is located in a highly visible area of the downtown area. The owner is not properly maintaining the façade of the building, and no work has been done on the chipping paint or siding.

***Bruni made a motion to approve a per-day fine citation for \$100.00 per day to run for sixty days or until the property is brought to compliance***

***Holman seconded the motion.***

***The motion passed with a four to zero vote.***

***ROLL CALL: Yes – Bruni, Gonzalez, Holman, Mujkanovic***

***No – None***

***The Per-Day Fine Citation was approved.***

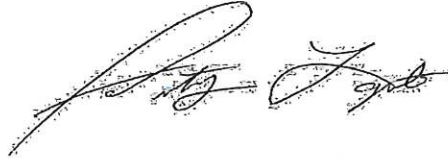
➤ COMMENTS / ANNOUNCEMENTS - Next hearing will be Tuesday, September 23, 2025.

➤ ADJOURNMENT - Motion to adjourn.

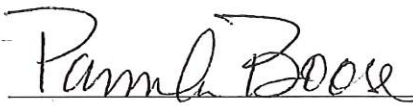
*Holman made a motion to adjourn the hearing at 5:15 PM.*  
*Gonzalez seconded the motion.*

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

ADOPTED: \_\_\_\_\_ September 23, 2025 \_\_\_\_\_



APPROVED: \_\_\_\_\_  
Code Enforcement and Nuisance Board Chairperson

ATTEST:  \_\_\_\_\_  
Code Enforcement and Nuisance Board Clerk