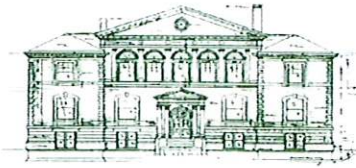


Pamela Boose
CENB CLERK
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EMAIL: Pamela.Boose@bgky.org

COUNSEL: DAVID BRODERICK



RYAN DEARBONE, CHAIR
ANTHONY LAPOINTE, CO-CHAIR
JOSE GONZALEZ
GENE HARMON
JEFF HOLMAN

BEN BRUNI
KENAN MUJKANOVIC

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
JUNE 24, 2025 4:30 PM

CALL TO ORDER – Hearing called to order by Chairman Dearbone at 4:29 PM

ROLL CALL – The roll was called for the Board Members

BOARD MEMBERS PRESENT- Ryan Dearbone, Jose Gonzalez, Gene Harmon, Jeff Holman, Anthony LaPointe

BOARD MEMBERS ABSENT- None

STAFF SWORN IN – Chairman Dearbone

STAFF PRESENT – Brad Schargorodski, Pam Boose, Rachel Danner, Katherine Collier, Will Meng, Rachel Hurt, Dara Price,

OTHER - David Broderick

APPROVAL OF MINUTES – May 27, 2025

LaPointe made a motion to approve the minutes as written.

Harmon seconded the motion. The motion passed with a five to zero vote.

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

HEARING AGENDA

➤ APPEALS

Agenda Item 2025-33 Planning & Zoning

Case #2025-2196, Citation #2025-5979

Location: 513 University Boulevard

Owner: Barry Cummings Enterprises LLC

Respondent: Barry Cummings

Officer: James Heady/Rachel Hurt

Citation Fine: \$200.00

The case was presented to the Board by Rachel Hurt. Complaints were received about the property in July 2024. There were various issues noted at that time. However, the focus at this time is the most recent citation relating to the number of persons residing on the property. The property is zoned as single family residential (SFR), which limits the occupancy. Residential treatment or transitional housing is limited to no more than eight persons. In December of 2024 a Notice of Violation was issued, and the first citation was issued in March of 2025. A photo was displayed having a snippet of the website for a residential facility that outlined the number of residents in the home. That number exceeded the maximum permitted by the zoning ordinance. Upon checking the website as of the date of this hearing, the issue has been remedied and the site is now in compliance. The case was open for 337 days, and the property is now in compliance. Staff recommends motion #2 to the Board, which would be to uphold the citation, but waive the fine. The respondent was sworn in, and stated his name for the record of Barry Cummings. Mr. Cummings was asked if everything was in compliance. The respondent replied yes, as far as he knew. It took them a while and they did not realize the website was saying there were that many people. There was no further discussion or questions.

Dearbone made a motion to uphold the citation but waive the fine.
LaPointe seconded the motion. The motion passed with a five to zero vote.

ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, LaPointe
No – None

Agenda Item 2025-34 Animal Protection

Case #2025-4495, Citation #2025-6908.1

Location: 1707 Kirby Drive

Owner/Respondent: Bonnie F Watson

Officer: Katherine Collier

Citation Fine: \$180.54

The case is the result of a dispatched call on 5/20/2025. The call was regarding the surrender of two dogs, and transporting them to the Humane Society. Contact was made with the complainant, and she stated the dogs did not belong to her, but the dogs were in her neighbor's back yard and were tied up and tangled together. The complainant stated she took food and water to the dogs but they were left outside during heavy rains with no shelter. The complainant provided staff with the name and phone number of the owner of the dogs, a Mrs. Bonnie Watson. Contact was made with the dog owner, and Mrs. Watson stated the dogs belonged to her son, and her son had been taken to the hospital earlier in the day, and the dogs were left outside. Staff requested she meet them at the property to assist with untangling the dogs, and bringing them inside for shelter since they could not be left in their current condition. Mrs. Watson replied the dogs are not allowed into the house and she was afraid of the dogs. Mrs. Watson was not willing to assist, and requested the dogs be taken to the Humane Society. Staff informed Mrs. Watson if the dogs were removed and taken to the Humane Society, they would be considered to be surrendered; the Humane Society is not a boarding facility. Mrs. Watson stated her son would not be willing to surrender them. Photos were displayed showing the dogs could not reach the food and water, there was approximately a foot of space between the dogs, and one dog did not have a collar, a wire tether was around its neck. The dogs were tangled around a flagpole and a truck. Staff made several phone calls to Mrs. Watson offering multiple options to improve the situation for the dogs since they were observed to be in distress and

extreme weather was expected that evening. Mrs. Watson informed staff she contacted the Humane Society and made arrangements for them to temporarily hold the dogs for five days while her son was in the hospital. Mrs. Watson informed staff she was at work and could not assist to untangle the dogs or transport them to the Humane Society. Due to the severe conditions a citation was issued, posted on the property and mailed to the PVA listed owner and address. The violations on the citation were listed as; improper confinement, tether and leash requirements, care of animals, neglect/abandonment and care of animals, and inadequate shelter.

Mrs. Bonnie Watson was sworn in.

Mrs. Watson stated her son called her the night before stating he was ill, and asked if he could come to her residence to lie down. Since Mrs. Watson is scared of his dogs, so her son took him out back and tied one to the flagpole and the other to the back of the truck. Food and water were placed for the dogs, and the son proceeded to enter the residence to lie down. The ambulance was called the next morning at 7 AM, and the son was carried out. Mrs. Watson reported she took water to the dogs and pushed it close enough for them to drink, and they did; the food had been eaten. Mrs. Watson stated a neighbor offered to get food and water for the dogs so she could go to work. Mrs. Watson stated she did go to work but then got a call approximately at 10 o'clock from Animal Control. The officer stated they would wait for her to come and put the dogs in the house. Mrs. Watson stated she told the officer she could not because she was afraid of the dogs and she could not leave work. Mrs. Watson stated she received another call from an Animal Control Officer asking her to come and place the gray dog into the van. Mrs. Watson stated she was scared so she did not know what to do. Harmon asked where are the dogs now? Officer Collier replied they are still at the Humane Society and staff has had no contact with the dog owner or Mrs. Watson. Harmon asked when did the Humane Society get the dogs, the same day? Officer Collier replied it was explained to Mrs. Watson if Officer Collier had to transport the dogs to the Humane Society, they would be considered a surrender. Mrs. Watson contacted someone at the Humane Society who agreed to hold the dogs for five days. Officer Collier informed Mrs. Watson a citation had been issued, and did a courtesy transport, taking the dogs to the Humane Society. Mrs. Watson stated the dogs are still at the Humane Society and her son still wants the dogs but stated she is unsure how her son would be able to care for the dogs since he will be in a wheelchair. Mrs. Watson was asked if there was family or friends that could take the dogs temporarily, and the reply was no. Mrs. Watson said someone at the shelter told her to place the dogs under the carport, but Mrs. Watson was informed by Animal Protection the carport would not be considered acceptable shelter. Officer Collier was asked how the care for the dogs falls under neglect and abandonment, and that it appeared the dogs entangled themselves. Officer Collier stated it was not believed that Mrs. Watson entangled the dogs. The neglect comes from not providing them shelter and to not be willing to provide shelter. Staff suggested allowing the dogs to have access to a shed on the property. A main concern by staff was the severe weather that day and the dogs having no shelter. Another primary concern was one of the dogs having no collar, being restrained by a wire tether, and the wire digging into the dog's neck. Anthony LaPointe asked is the yard was fenced in? Staff recalled portions of the yard having fencing but was uncertain if the entire yard was fenced. Anthony LaPointe asked Mrs. Watson why the dogs were tied up like that?

Mrs. Watson stated her son would not tie the dogs too tight because he loves the dogs. Mrs. Watson stated her son and the dogs were only supposed to be there until the next day but her son ended up in the hospital.

There was no further discussion or questions.

LaPointe made a motion to uphold the citation but waive the fine.

Harmon seconded the motion. The motion passed with a five to zero vote.

ROLL CALL: Yes -Dearbone, Gonzalez, Harmon, Holman, LaPointe

No – none

Agenda Item 2025-35 Public Works

Case #2025-4335, Citation #2025-6674.1

Location: 319 Hillview Mills Boulevard - Lot 93

Owner: LMFB Properties LLC

Respondent: Paul Wherry

Officer: Dara Price

Citation Fine: \$500.00

The respondent did not appear before the Board as requested and is considered a “no show.”

The citation and fine of \$500.00 stand as written.

Agenda Item 2025-36 Public Works

Case #2025-4336, Citation #2025-6676

Location: 319 Hillview Mills Boulevard - Lot 94

Owner: LMFB Properties LLC

Respondent: Paul Wherry

Officer: Dara Price

Citation Fine: \$500.00

The respondent did not appear before the Board as requested and is considered a “no show.”

The citation and fine of \$500.00 stand as written.

➤ OLD BUSINESS – None.

➤ NEW BUSINESS

Agenda Item 2025-37 Public Works

Case # 2025-0405

Location: 5402 Bakers Spring Street

Owner: 3 Bros, LLC

Officer: Dara Price

Staff Action: Case Number Correction/Authorization Request for Per-Day Fine Citation

This property was brought before the Board at the May 2025 hearing to request authorization for a per-day fine citation, and the Board unanimously approved the citation. However, after the hearing it was discovered the case number provided to the Board was incorrect.

The case number was listed as 2025-0931 and this was the case number for a stop work order case for this location. The correct case number is 2025-0405 which remains open and the property remains in violation. Staff is requesting authorization to issue a per-day fine citation under the correct case number, with all other factors remaining the same and current photos of the property taken previously were displayed.

There was no further discussion or questions.

Dearbone made a motion to approve a per-day fine to run for sixty day or until the property is brought to compliance.

LaPointe seconded the motion. The motion passed with a five to zero vote.

*ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, LaPointe
No – none*

Agenda Item 2025-38 Code Compliance

Case#2025-5636

Location: 744 Pearl Street

Owner: Faith Tabernacle Church

Officer: Will Meng

Staff Action: Waive Citation & Fine

This case is the result of a proactive inspection on 5/15/2025. The violation of overgrown grass was observed on the property. A courtesy letter was sent to the PVA listed owner and address. The property was inspected on 5/21/2025 and remained in violation, and a notice of violation was sent to the PVA listed owner and address. The Pastor of the church called staff requesting an extension, and an extension was given until 6/2/2025. Staff informed the Pastor the property would be cited and moved by a City contractor if the property remained in violation upon the agreed extension date. A corrective action with the agreed extension date was not entered into the case file. As a result, the property was inspected on 5/28/2025, and a citation was issued and a City contractor mowed the property. The error was discovered and the property owner was notified that staff would take the case before the Code Board to request the citation and fine be waived.

There was no further discussion or questions.

Dearbone made a motion to waive the citation and fine.

Holman seconded the motion. The motion passed with a five to zero vote.

*ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, LaPointe
No – none*

Harmon made a motion to enter a closed session at 4:55 PM.

Holman seconded the motion. The motion passed with a five to zero vote.

*ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, LaPointe
No – none*

The public hearing resumed at 5:05 PM

➤ COMMENTS / ANNOUNCEMENTS

Ryan Dearbone and Gene Harmon were recognized for their service to the Board by Brent Childers. Both received a plaque for their years of service. Ryan for twelve years and Gene for three years.

The next scheduled hearing for the CENB will be Tuesday, July 22, 2025, at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

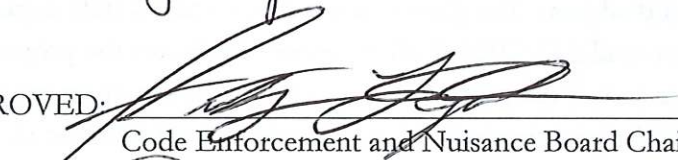
➤ ADJOURNMENT –

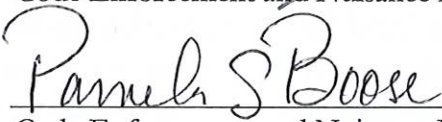
Harmon made a motion to adjourn the hearing at 5:15 PM.

LaPointe seconded the motion.

ROLL CALL: Dearbone, Gonzalez, Harmon, Holman, LaPointe

ADOPTED: July 22, 2025

APPROVED: 
Code Enforcement and Nuisance Board Chairperson

ATTEST: 
Code Enforcement and Nuisance Board Clerk