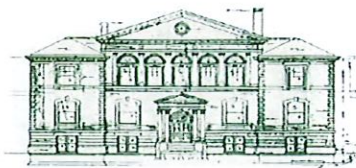


PAMELA BOOSE
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JEFF HOLMAN, VICE-CHAIR
JOSE GONZALEZ
GENE HARMON
ANTHONY LAPOINTE

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN
FOUNDED 1798

CODE ENFORCEMENT AND NUISANCE BOARD MINUTES

February 27, 2024 at 4:30 PM

❖ CALL TO ORDER @ 4:30 PM

❖ ROLL CALL /ATTENDANCE

BOARD MEMBERS PRESENT: Ryan Dearbone, Jose Gonzalez, Gene Harmon, Jeff Holman

BOARD MEMBERS ABSENT: Anthony LaPointe

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose,
Code Officials: Brad Schargorodski, Heather Lashley, James Heady, Ben Peterson

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick

❖ APPROVAL OF MINUTES – January 23, 2023

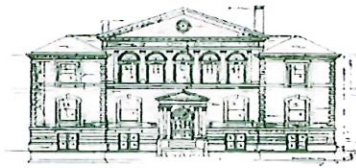
Harmon made a motion to approve the minutes.

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

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

❖ STAFF SWORN IN

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F O U N D E D 1 7 9 8

❖ APPEALS

AGENDA ITEM #2024-007 –Code Compliance

Case #2023-5794, Citation #2023-12426

Location: 602 Fairdale Ave.

Owner/Respondent: Gino Metlow

Citation Fine \$804.98

Officer Schargorodski presented the case to the Board.

This case was the result of proactive inspections by staff during the week of 12/04/23. Multiple signs for a “Psychic Readings” business were observed, and removed by staff during this time. Mr. Metlow stated he was not in town, and family members must have put the signs out without his knowledge. Mr. Metlow asked for the fine to be waived. It was explained we are not able to remove or waive fines. He must appeal the citation according to law. Mr. Metlow stated he felt Code Compliance was “picking” on his business, and not pulling signs of other businesses in the City. A Notice of Violation was sent to the property owner/business on 2/21/22 informing them of the temporary sign ordinance, due to ongoing violations throughout the city, and explaining citations would be issued for each sign for continued violations. After 2/22/22, citations were issued on 3/11/22, 9/22/2022, and 7/7/23. City staff removed fourteen illegal signs at the times of the citations, and 83 signs in the last five years. Mr. Metlow stated he had a stack of mail from Code Compliance, but had not opened any of it due to a personal situation he was dealing with. It was explained to Mr. Metlow there were documents in that mail explaining where temporary signs could and could not be placed, in an effort to assist him to comply with the law. Citation #2023-12426 is the fourth citation for this business for placing temporary signs illegally throughout the City. Staff request the citation and fines be upheld.

Mr. Metlow was sworn in.

Mr. Metlow agreed what Officer Schargorodski explained was true. His wife has cancer and while he was dealing with that, family members were running the business for him and his wife. He did not think to tell them about not placing signs out, and they did place the signs. Mr. Metlow stated he believes there was a miscommunication in the beginning, but understands about the signs now, and will not be putting them up again. Mr. Metlow requested the fines be waived as they cannot afford them now and he had been making some payments that were arranged by Hillary Hightower, the City Attorney.

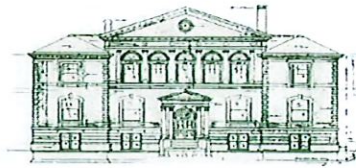
Harmon made a motion to uphold the citation and fines.

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

ROLL CALL: Yes – Dearbone, Gonzalez, Harmon, Holman

No – None

❖ OLD BUSINESS – None.



CITY OF BOWLING GREEN

F O U N D E D 1 7 9 8

❖ NEW BUSINESS

AGENDA ITEM #2024-008 – Code Compliance

Case # 2022-8311

Location: 1314 15th Ave. E

Owner: Nhep Leap

Request Authorization to Issue a Second Per-Day Fine Citation

This case is the result of a proactive inspection on 12/28/2022. The case has been active for 427 days. A Notice of Violation was sent on 1/30/2023. Three citations were issued in August and September 2023. In October of 2023 the Board approved a per-day fine citation, and the citation was issued on 11/7/2023. The sixty-day period has elapsed and the property remains in violation. There has been no successful communication with the property owner. Staff are requesting authorization to issue a second per-day fine.

Dearbone made a motion to authorize a per-day fine citation to run for a period of sixty days or until the property is brought into compliance.

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

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

AGENDA ITEM #2024-009 – Planning & Zoning

Case #2022-3709

Location: 1432 Campbell Ln.

Owner: BSSCC Properties LLC

Request Authorization to Issue a Second Per-Day Fine Citation

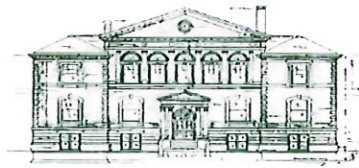
This case is the result of a complaint received by the Planning & Zoning office on 2/22/2022. The case has been active for 749 days, and remains in violation. A Notice of Violation was delivered on 3/4/2022. Three citations were issued in May 2022, April 2023, and July 2023. In September of 2023, the Board approved a per-day fine citation for the property and the citation was issued on 10/19/2023. The sixty-days for the citation has elapsed and the property remains in violation. The property owner has not submitted the required plans, or attempted to remove the violations.

Harmon made a motion to authorize a per-day fine citation to run for a period of sixty days or until the property is brought into compliance.

Dearbone seconded the motion. The motion passed with a four to zero vote.

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

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❖ **COMMENTS / ANNOUNCEMENTS**

❖ **ADJOURNMENT**

Harmon made a motion to adjourn the hearing at 4:47 PM.

Dearbone seconded the motion. The motion passed with a four to zero vote.

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

The next scheduled hearing for the CENB will be Tuesday, March 26, 2024, at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

APPROVED:

Code Enforcement and Nuisance Board Chairperson

ATTEST:

Code Enforcement and Nuisance Board Clerk