

COUNSEL: DAVID BRODERICK

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**  
**MAY 27, 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, Kenan Mujkanovic

**BOARD MEMBERS ABSENT**- Anthony LaPointe

**STAFF PRESENT** – Brad Schargorodski, Pam Boose, Rachel Danner, Sanja Dudaric, Heather Lashley, McKenna Tabor, Dara Price, Journee Nickson, Matt Powell, Nick Lawhon, Chad Doughty

**OTHER** - David Broderick

**APPROVAL OF MINUTES** – April 22, 2025

***Gonzalez made a motion to approve the minutes as written.***

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

***ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, Mujkanovic***  
***No –***

**HEARING AGENDA**

➤ **APPEALS**

**Agenda Item 2025-24 Code Compliance**

Case #2025-0992, Citation #2025-1543.8

Location: 1103 East 13<sup>th</sup> Avenue

Owner/Respondent: Kelly Thompson Jr.

Officer: Sanja Dudaric

***Citation Fine: \$105.54***

The case is the result of a proactive inspection conducted on 2/4/2025. The following violations were observed, accumulation/storage of; junk (an old toilet), construction materials and landscape debris. On 2/4/2025, a Notice of Violation (NOV) was sent to the PVA listed property owner. The property was inspected on 2/21/25, and 2/27/2025, and remained in violation. Contact with the Property Manager, Bill Goodwin was attempted on 2/27/2025, without success. The property was inspected on 3/7/2025, and remained in violation. On 3/7/2025, the Property Manager requested an extension to 3/10/2025. The property was inspected on 3/10/2025, the property remained in violation, and contact with the Property Manager was attempted without success. On 3/19/2025, the Property Manager contacted staff to advise he had some recent health issues and was unable to work, but stated he would take care of the property. On 3/26/2025, the property was inspected and remained in violation. During the inspection contact was made with the tenant who offered assistance to load trash onto a trailer if one was brought to the property. Staff contacted the Property Manager, relaying the tenant's offer of assistance. The Property Manager replied they would not have a trailer available until sometime the following week. Staff advised the Property Manager the case has been open an extended amount of time and the City is trying to avoid issuing a citation. The Property Manager replied "write a citation and we will talk to the City Attorney." On 4/23/2025, the property was inspected and remained in violation. A citation was issued, posted on the property, and mailed to the PVA listed property owner. The case has been active for 112 days as of 5/27/2025.

The property owner, Kelly Thompson was sworn in.

The property owner stated on the violation notice it quoted the International Property Maintenance Code (IPMC), and asked "has the City adopted the IPMC?" Division Manager, Brad Schargorodski responded stating the IPMC is incorporated by reference in Chapter 27 of City Ordinance with a couple of exceptions for dates, where dates are required or the height of grass is required. The property owner stated he didn't understand the response. The property owner asked "you adopted the IPMC in Chapter 27?" The Division Manager replied, "yes, that is correct." The property owner then questioned the Officer about where she was standing, and what equipment was used when taking photos of the property. The Officer's response was she was on the street when taking photographs using her City issued iphone. The property owner then proceeded to ask questions about having permission to enter private property. The Division Manager stated it is covered in Chapter 2 of City Ordinance, and offered to pull up the information on a laptop for the property owner. It was established the initial inspection was from a public right of way, and legal. The property owner was asked by the Board, "why is stuff in the back yard?"

The Property Manager, Bill Goodwin spoke up from the audience and he was asked to come to the podium and Mr. Goodwin was sworn in.

The Property Manager explained the property is under construction, since the storm, and there have been delays due to his health. The Property Manager stated residents at the property have been helping, but they cannot finish the project. The Officer stated the last communication with the Property Manager was 3/26/2025. A citation was issued on 4/23/2025. The Board asked the Property Manager if it were possible to have someone else help with the project during his time away dealing with his issues, and the Property Manager stated there have been three different plumbers have come in and "torn things up." The Property Manager continued saying, "the paint, toilet and rubbish back there, I just haven't had time to get it." The Board asked the Owner and Property Manager if they could give a date the property would be in compliance, and the Property Manager replied in seven days. The Property Owner stated he was convinced the Officer was not standing on the street, but was on the property while taking photos. The Officer stated she was in her car at the time of taking the photograph. The Board asked the Property Owner, "Mr. Thompson, are you disputing the property is out of compliance, or it sounds more like how the picture was taken? ...are you disputing it's out of compliance?" The Property Owner said "no," and proceeded to discuss his right to privacy.



Chairman Dearbone addressed CENB Counsel David Broderick asking, "do we need to focus solely on the compliance issue, or do we need to look at any other issues at this stage?" Counsel stated, "What we have cited for. You need to look to the compliance." The Chairman informed the Property Owner, "We are only focusing on the compliance issue, which you do not seem to dispute. As Counsel has said, we are focusing on the compliance issue versus how the photo comes across. We are only looking at compliance. You don't dispute it's out of compliance. So that is what we will end up ruling on. Any other thoughts may be taken to another body, but our body is only looking at compliance." There was no further questions or discussion.

***Dearbone made a motion to uphold the citation and fine.***

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

***ROLL CALL: Yes –Dearbone, Harmon, Holman, Mujkanovic***  
***No – Gonzalez***

#### **Agenda Item 2025-25 Code Compliance**

Case # 2025-2298, Citation #2025-3827.3

Location: 603 East 11<sup>th</sup> Avenue

Owner: Nitsuj Investments LLC

Respondent: Justin Reesy

Officer: Heather Lashley

***Citation Fine \$105.54, Work Order Fee \$65.00***

The case is the result of a proactive inspection on 3/31/2025, and a courtesy letter was sent for the following violation observed on the property: overgrown weeds/grasses. The property was inspected on 4/14/2025, remained in violation and a notice of violation (NOV) was sent. The property was inspected on 4/22/25, and remained in violation. It was discovered the ownership of the property had changed so an NOV was sent to the new PVA listed owner. On 4/28/2025 the property was inspected and remained in violation. A citation was issued, and a work order was submitted for a City Contractor to mow the property. The set fee to mow this size lot is \$65.00 and a City Contractor did mow the lot. The Property Owner contacted staff and said he just received the correspondence and did not have time to act on it. The Owner was informed the property had been overgrown for some time and appeared it had not been mowed all spring, even though they have owned the property since November 2024.

Justin Ortega was sworn in as respondent to speak for Justin Reesy, who did not appear. The respondent said he was limited in everything but Justin Reesy "kind of" told him because he was the one in communication with staff. The respondent stated they got the notice and were fined two days later. They contacted their mowing company within the two days, and the mowing company is on a two week rotation. The reason was because the notices were being sent to the prior owner. "We didn't know what notices we were getting or how out of compliance we were." The respondent stated neither he nor Mr. Reesy live near the property, so they do not go over there. The plan is to develop the property, they are signing off on a loan, and in the next seven days they will be getting permits. The respondent stated he did not think the fine was fair since they were not getting proper notice, and expected to pay a fine without advance notice. The respondent was asked when the property was purchased and the respondent stated it was last year. The respondent was asked why the property was not mowed in March and April and the respondent stated "they do not drive there, they do not know what's going on." The respondent said they did not know what the property looked like. The respondent stated the prior owner didn't tell them they were getting notices, but the property is getting mowed this week. There were no further questions or discussion.



*Harmon made a motion to uphold the citation and fine.*

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

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

#### **Agenda Item 2025-26 Code Compliance**

Case # 2025-5435, Citation #2025-8990.24

Location: 927 Payne Street

Owner: Thirteen Street Development LLC

Respondent: Kelly Thomas

Officer: McKenna Tabor

*Citation Fine \$255.54*

This case was the result of a proactive inspection conducted on 06/12/24, and the following violations were observed: cracked foundation walls on an accessory structure, damaged roof on commercial business, and parking in yards. An NOV was sent to the PVA-listed owner. On 7/5/24, the property owner, Kelly Thomas, texted staff advising there was a pending insurance claim on the roof due to storm damage, and the improperly parked vehicle had been moved. On 07/16/24, the property was inspected and remained in violation. Contact was made with tenants of the property, and the tenants said they were told there was a pending insurance claim on file, but the roof had been “leaking for years” prior to the storm damage. The tenants walked staff around the inside of the business, showing staff extensive water damage, damaged ceiling tiles, holes in walls, and expressed concerns regarding mold, rats, and termites in the building, all of which they claimed they told the property owner. On 07/17/24, a new NOV listing additional violations was sent to the PVA-listed owner. The list of violations included: cracked foundation walls on an accessory structure, damaged roof on commercial business, glazing for broken/boarded/missing windows, protective treatment, overhang extensions due to a damaged business sign, structural members not maintained/structurally sound, interior surfaces not maintained in good/sanitary condition due to water damage. Mold-like substances throughout the building, holes in the walls, damaged/missing ceiling tiles, and make-shift braces supporting the ceiling in one room, deteriorated wood, missing door on a breaker box, accumulation of construction debris for discarded/scrap wood, infestation, duty of maintenance of private property. On 08/05/24, 08/09/24, 08/22/24, and 09/11/24, staff attempted contact with the property owner, conducted inspections, and had no contact with the property owner or notable progress toward compliance. On 10/03/24, the property was inspected and remained in violation. Staff reached out to the property owner requesting updates, and he advised he was leaving town for fall break and he was still waiting on insurance. On 10/15/24, contact was attempted with the property owner, but was unsuccessful. On 10/18/24, the property owner furnished photos of completed work to the interior. On 10/30/24, contact was made with the property owner, and he stated they were waiting to see if the current ceiling/roof situation was sufficient enough to keep from leaking. The owner didn’t want to install a new ceiling if the leak continues. On 11/19/24, the property was inspected and remained in violation. Contact was attempted with the owner, but was unsuccessful. On 12/06/24, the property was inspected and remained in violation. The owner said he was still working with insurance, and staff asked he reach out to his insurance company and provide an update to staff. On 12/18/24, 12/31/24, and 01/07/25, the property was inspected and remained in violation. Staff reached out to the owner on the listed dates, all attempts were unsuccessful. On 01/13/25, the owner reached out to staff and said some people were going to help with the property, and the repairs should be done in a few days.

He said he would advise staff when the work was completed. On 01/22/25 and 02/05/25 the property was inspected and remained in violation. Contact attempts with the owner were unsuccessful. On 02/21/25, the property was inspected and remained in violation. Due to inclement weather and snow received during this time, the follow up inspection was pushed out a couple of weeks. On 03/14/25, the property was inspected and remained in violation. Contact was attempted with the owner, and staff requested the insurance adjuster information so staff could attempt contact the insurance company directly for updates regarding the roof. Staff explained existing violations could be rectified in the meantime, and offered to forward the NOV again with all violations listed. It was further explained the property has remained in violation for months with no notable progress, and would be cited if no effort toward compliance had been made. The owner responded but did not furnish any requested information. On 03/28/25, the property was inspected and remained in violation. On 04/25/25, the property was inspected and remained in violation. Contact was made with the business, and the tenants advised: "the owner had not replaced the ceiling tiles or anything on the interior, but was waiting for better weather to see if the tarp on the roof was holding water". On 04/29/25, staff reached out to the owner to request an update, but no updates were provided. On 05/07/25, the property was inspected and remained in violation. Contact was made at the property with the tenant, outside the building. The tenant stated, "Mr. Thomas told me not to let you in the building or on the property". An interior inspection was not conducted; all interior violations are assumed to remain. A citation was issued, posted on the property, and mailed to the PVA-listed owner. The following violations were listed on the citation: cracked foundation walls on an accessory structure, damaged roof on commercial business, glazing for broken/boarded/missing windows, protective treatment, overhang extensions due to a damaged business sign, structural members not maintained/structurally sound, interior surfaces not maintained in good/sanitary condition due to water damage. Mold-like substances throughout the building, holes in the walls, damaged/missing ceiling tiles, and make-shift braces supporting the ceiling in one room, deteriorated wood, missing door on a breaker box, accumulation of construction debris for discarded/scrap wood, infestation, duty of maintenance of private property. The case has been active for 346 days and the property remains in violation.

The respondent Kelly Thomas was sworn in.

The respondent stated there are a couple of insurance claims, mainly the roof. The respondent stated he was working with CMS Roofing, had two engineers from Scottsdale insurance, and now has conflicting reports. The respondent stated he has hired a private insurance adjuster to present his findings to the insurance company. The respondent stated he had three tarps on the roof and is now down to one, which is over the main office area and it is silver to match the roof. The respondent stated; the area where there was debris, wiring, and siding has been cleaned up. The exterior sign is an insurance claim, and had been reinforced with six braces. The electrical panels have the covers back on them. According to the owner, the tenant has been there almost fifteen years and is responsible for the first \$2500.00 worth of damage. The tenant takes care of the interior. The respondent stated that everything with the exception of the roof has been repaired according to what was on the list. The respondent was asked if he thought 346 days was a reasonable amount of time to make a few repairs, and the respondent stated he has been waiting on insurance for a long time. The respondent stated most of the smaller repairs he thought the tenant should take care of. The respondent was asked about having a timeline of initial contact with the insurance company and the respondent said it was 4/2/2023. The insurance claim for the roof was submitted to the insurance for \$277,000.00. The respondent was asked to provide proof of the claim, and he provided it.



The respondent stated the issue with the roof is one adjuster reports it is hail damage, the private adjuster reports 90% of the roof was lifted up by the straight line winds. The roof does have pre-existing hail damage, but the second adjuster was shown where panels were pulled up, and verbiage was placed in the report as to which parts of the roof needed replaced. However, in Kentucky, there is a clause requiring the new roof to match the old roof. The insurance paid the initial claim and one of the two supplemental claims that were submitted. Gonzalez stated there is no document provided by the respondent showing where the roof claim was either denied or processed by the insurance company, and the respondent stated it may be in an email, but would be happy to provide it. Chairman Dearbone directed a question to the Code Compliance Division Manager saying, "if the roof is one of the bigger issues, and is denied by the insurance company, where does he go from this point? Is there some work around? What does that look like moving forward? The response from the Division Manager was, "Counsel may provide recommendations to the Board legally, but the issue now is currently the appeal to the citation. If the Board believes the citation was proper at the time issued and the violations listed in the citation were present at the time the citation was issued, and proper procedure was followed, then the Board may vote to uphold the citation. Staff will continue to work with the property owner. There were no further questions or discussion.

***Dearbone made a motion to uphold the citation and fine.***

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

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

***No – none***

#### **Agenda Item 2025-27 Code Compliance**

Case # 2024-0513, Citation #2024-0993.46

Location: 1118 Fair Street

Owner: Vulcan Investments LLC

Respondent: Kelly Thomas

Officer: McKenna Tabor

***Per-Day Fine Citation Appeal***

This case was the result of a proactive inspection conducted on 01/29/24. The following violations were observed: roof damage, tires, accumulation of construction material. An NOV was sent to the PVA-listed owner. On 02/14/24, the property was inspected and remained in violation. An attempt to contact the property owner, Kelly Thomas was made, but without success. On 02/20/24, the property was inspected and remained in violation. The rear of the property was observed at this time due to an inspection taking place at an adjacent property. On 02/23/24, 02/28/24, and 3/6/2024, the property was inspected and remained in violation. On 03/06/24, contact was made with the owner and he was advised of the condition of the property, including concerns regarding possible homeless subjects on site. The owner said he would go and look at the property. On 03/15/24, the property was inspected and remained in violation with no notable progress toward compliance. On 03/20/24, the property was inspected and remained in violation. Contact was made with the owner and the condition of the property was discussed.

The owner said he would remove the tires, and stated he hired someone to come remove the furniture behind the house, but requested an extension until 03/25/24. On 3/27/24, the property was inspected and remained in violation. Contact was made with the owner and since there had been no apparent progress toward compliance, he was asked to have the property in total compliance for exterior violations by close of business day 04/01/24. On 04/02/24, the property was inspected and remained in violation. A citation was issued, posted on the property, and mailed to the PVA-listed owner. The following violations were added: glazing – broken/boarded/missing windows, protective treatment – damaged/missing siding, indoor furniture at an outdoor location, accumulation of landscaping debris, scattered garbage, accumulated tires stored outdoors. On 04/15/24, the property was inspected and remained in violation. The citation was still posted on the front door, and it appeared additional items had accumulated at the rear of the property. On 04/16/24, the property was inspected and remained in violation. A second citation was issued, posted on the property and mailed to the PVA listed owner. The owner came to our office and requested to appeal the first citation issued on 04/02/24 and he was informed the deadline to file the appeal had passed. The owner had an extensive conversation with Division Manager Brad Schargorodski about the case. An agreement was made since the second citation was written but not yet mailed, the owner would be afforded 24 hours to clean up the exterior property and the citation issuance would be postponed. The owner explained his intent to demolish the house, and stated he had applied for a demolition permit. The owner was provided resources to bring the property into compliance, and it was reiterated to him he had until the next date to have it completed or the citation would be mailed. On 04/17/24, the owner communicated with our office and said he hired a contractor to complete the work. Contact was made with the contractor and he did not think he would be able to complete the required work by the deadline, but could have it done by the following morning, 04/18. Staff agreed to extend the timeline for compliance. On 04/18/24, the property was inspected and the nuisance violations had been abated. The owner applied for a demolition permit. The decision was made to keep the case open and monitor the property until the permit had been approved and demolition took place. On 05/02/24, 05/16/24, and 05/20/24, the property was inspected and remained free of nuisance violations. The demolition permit was not approved. On 05/29/24, the permit status was reviewed and delayed by Occupational Licensing. Contact was made with the owner requesting he contact the office of Occupational Licensing to resolve the issue. On 06/10/24, the permit was approved. The owner was contacted to provide a timeline for moving forward with demolition, and advised he was “busy with a homeless encampment” at another property and unsure of when he could get to this property. On 07/02/24, the permit had been on file for over 30 days, with no work toward demolition, and no tentative plans relayed to staff. Contact was made with the owner, he advised he had not received the demolition permit. It was explained, to the owner he would have to pick up the permit from the Building Division and to contact their office. On 07/17/24, the owner was contacted and he advised there was an administrative issue he would have to resolve prior to receiving the permit. On 08/09/24, the owner forwarded a photo of the demolition permit “in hand”. Follow up to the property was made, and it was noted the property remained in the same condition as the previous inspections. On 08/22/24, contact was attempted with the owner without success. On 08/23/24, the owner responded to staff’s previous messages stating “he already told us he has the permit.” Staff explained he exceeded the time frame for demolition.

The owner stated no one advised him of a time frame. He was given the City ordinance reference regarding demolition permits. On 08/28/24, the property was inspected and remained in violation. No communication from the owner, and no progress toward compliance. While on site, an open/unsecured window was observed at the rear of the property. Contact was made with the owner advising him of the unsecure property, and staff requested he come and secure the property. A citation was issued, posted on the property, and mailed to the PVA-listed owner. The following violations were added; dangerous building time period, vacant structures and land, duty of maintenance of private property, duty of maintenance of streets, sidewalks, drainage areas, and public ways. An appeal was filed for the third citation and the property was brought before the Board at the September, 2024 hearing. The citation and fines were upheld. On 10/15/24, the property was inspected and remained in violation, however, it was noted the roof had been replaced. On 11/05/24, the property was inspected and remained in violation. Contact with the owner was attempted without success. On 11/11/24, the property was inspected and remained in violation. Visible progress toward compliance was observed. The owner advised he was getting estimates for new siding. On 12/06/24, the property was inspected and remained in violation. The owner said the siding was ordered and waiting for it to come in. On 01/07/25, and 2/7/2025, the property was inspected and remained in violation. On 02/07/25, contact was attempted with the owner without success. On 03/14/25, the property was inspected and remained in violation. The owner advised he "had had no luck finding matching siding". On 03/28/25, the property was inspected and remained in violation. The owner was advised progress would need to be shown on the property as soon as possible to avoid further citations, as the property has been in violation with no progress for months. On 04/01/25, while conducting other inspections in the area, staff noted broken windows on the property. A total property inspection was conducted and it was observed multiple windows were broken, gutters had fallen off, and siding was falling completely off the house, rendering it vulnerable to the elements. Staff reached out to the owner to explain the findings and voice concerns of trespassing. The owner advised he would follow up on the following day. On 04/02/25, the owner contacted staff stating he observed the areas of missing/damaged siding and he would make repairs as soon as weather was better. On 04/22/25, this case was brought before the Board to request authorization to issue a per-day fine citation at the May, 2025 hearing, and the request was approved. On 05/02/25, the owner contacted our office advising he had received notice the per day fines had been authorized, and that all violations had been corrected. On 05/06/25, the property was inspected and remained in violation. The per-day fine citation was issued, posted on the property and mailed to the PVA-listed owner. On 05/09/25, and 05/14/25, the owner reached out to staff asking what needed to be done to bring the property into compliance. Staff explained all violations listed on the citations he had received. No further inspections would be conducted due to the filed appeal. As 05/27/25, the property remains in violation. Plywood has been placed where siding was missing and the plywood is has been painted. It does look better, but plywood is not a long term solution to withstand the elements. This case has been open for 484 days. The owner Kelly Thomas was still under oath from the previous case. The owner stated the property needs a lot of repairs. A new roof was added. The demo permit is good until July 2025. The plan for the property is to gut it, add new windows, and siding. Staff was texted by the property owner to ask which parts they wanted fixed. The owner admitted he didn't want to put a lot of money into the property since it will get covered up.



Once per-day fines started, the entire property was scraped and painted. The windows have been put back in and the front door has a board to prevent break ins. The owner said he cannot give a timeline as he currently working on some apartments that are an easier fix. The owner stated he was "having a hard time putting a lot of time and effort into something I knew I was going to fix." The owner was asked with all that remains to complete on the property, why not demo the property and cut your losses? The owner replied he had already painted it, and he would like to get it to satisfactory compliance then wait to come back and complete the work. The statement was made the case has been open for 484 days which is a significant amount of time. The owner stated last fall he was "slapped" with a \$1,000.00 fine and thought it was over. He did nothing to the property. The owner claimed he was not contacted until the spring. Officer Tabor stated several attempts at communication were made and all communication is documented. Officer Tabor acknowledged the steps toward compliance, and is willing to work with the owner, but communication is paramount. The owner stated the description of items on the citation are ambiguous, and could mean anything. The owner would like the officer to meet with him at the property to show him exactly what repairs are being required. Officer Tabor stated the property needs to be maintained in good condition while it's there. No progress, communication or cooperation was made until the per-day fine citation was issued. The owner stated he was trying to do the least amount possible to get it approved through the officer because he knew he planned a total remodel. There were no further questions or discussion.

*Dearbone made a motion to uphold the citation and fine.*

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

*Decision: The Per-Day Fine Citation will resume from the date of suspension and run for sixty days or until the property is brought to compliance.*

*ROLL CALL: Yes -Dearbone, Gonzalez, Harmon, Holman, Mujkanovic  
No - none*

#### **Agenda Item 2025-28 Public Works**

Case # 2025-0457, Citation #2025-0760.2

Location: 635 Woodford Avenue (a.k.a. 1120 Garfield St.)

Owner: TTT LLC

Respondent: Romeo Rom

Officer: Dara Price

***Citation Fine \$2,000.00***

The case is the result of a routine inspection on 12/21/24. The following violations were observed: improper construction entrance, improper parking area for employees to prevent mud tracking onto roadway, the roadway had mud that needed to be cleaned due to safety hazards for motorists, best management practices (methods used to prevent/reduce discharge of pollutants, especially sediment, from construction sites), needed to be installed for silt runoff prevention. Examples of this would be rock checks, silt fence, straw waddles, sand bags, etc. There was silt running into the storm water drain. The drains need protection, or need to be cleaned out.

There were piles of construction debris and trash that needs cleaned up, as well as a containment system should be installed on the jobsite. Piles of nails, saw blades and boards with nails sticking out were randomly scattered around the jobsite making the site dangerous to navigate. Construction storage, debris and parked vehicles were in the storm water ditch, blocking the flow of water to the drain. Illicitly discharged drywall putty and grout washout were observed on the ground, along with other unidentified miscellaneous material. There is to be a designated washout area intended for this on jobsites. There were open trenches that were waist deep posing a safety hazard without properly placing safety measures around them. Concrete was dumped on the roadway and left to harden. This is City Property. This will involve cutting out that portion of roadway to repair it according to the City Standards. After five failed inspections on 12/21/24, 01/02/25, 01/07/25, 01/16/25 and 01/17/25, a Notice of Violation (NOV) was issued on 01/21/25, posted on the property, and mailed and emailed to the PVA-listed owner. On 01/22/25, City Fire Code Inspector Steve Coleman reported burning on site without a permit. This was a recurring issue at the location, which ultimately resulted in two fines from the Fire Marshal. On 01/31/25, and 2/3/2025 the property was inspected and remained in violation. A citation was issued, posted on the property and mailed, and e-mailed to the property owner. On 02/18/25 the property was inspected and remained in violation. An email was sent to the property owner with photos of the violations to detail the items that needed to be addressed. Additional inspections and on site meetings were conducted on 02/26/25, 03/13/25, 03/24/24, 04/17/25, 04/23/25, 04/28/25. The property remained in violation. The owner asked for more time. City staff were as lenient as possible to help achieve compliance goals. On 05/08/25, the property was inspected and remained in violation. A citation was issued. On 05/09/25, the citation was posted on the property, mailed, and emailed to the PVA listed property owner. As of 05/27/25 the case has been open 157 days, and the property remains in violation. In the top left photo displayed on screen from the power point, you will see a driveway being accessed in the neighbor's yard, and this was not approved. Contractors were parking along the alleyway, making through traffic difficult. There were a lot of extension cords laying across the roadway. There was a pile of sand next to a drain, running into the drain, as there was no protection around the drain. There was a lot of grout dumped onto the ground, and in the ditch. There was improper grading. The grading was sloped toward the foundation, which is not appropriate. Mud in the road was a constant issue. There is a standard that is supposed to be followed. Fabric is to be laid first, then the appropriate size rock is put on the fabric so mud is not tracked into the road. A silt fence was installed next to a drain that had a sand pile next to it. A vehicle drove over the sand, pushing it onto the silt fence making it fail immediately. In the bottom left photo displayed on screen from the power point, parked vehicles were observed to be in the ditch line. The port-o-johns were moved into the ditch. The owner was told several times a dumpster was needed on site but instead stored the trash in one of the garages. Officer Price was asked if there was a Stop Work Order on the property, and she replied yes.

The respondent Romeo Rom was sworn in.

The respondent stated he could not disagree with anything the officer stated. The respondent was trying to take over the project. The respondent admitted there is a lot of information he was not informed of, and feels the owner has been dishonest. The respondent stated he was unaware of all of the issues. The respondent was asked if the person he took over the project over for, left him basically in the dark about what's going on.



The respondent said he was told about some of it, but not from the beginning. The respondent was asked if he would take over the project as the contractor, and property management, and the reply was no, the respondent would manage the contractor to come up with a better plan to complete the project. The respondent stated it appeared there were so many projects going on, but no plan. The respondent was asked if he wrote the appeal, and the response was no he did not, it was sent to him, Ty (Nguyen, owner) probably wrote the appeal. The respondent was asked if the owner was not able to appear this afternoon, and the response was Ty was overseas and that is why he was appearing in his place. The respondent was asked if he planned to take over all of the owners projects, and the response was no, just the ones on Bakers and Woodford. The respondent was asked who should be contacted for the multiple projects the owner currently has going on, and the response was the owner hadn't discussed that with him. The respondent was asked if he was in contact with the owner and would provide contact information to Code Compliance, and the response was yes, and he would provide the contact information. The respondent was asked if he was an owner, and the response was no. The Board directed a question to either Counsel or the Division Manager, "who is responsible for this property, if the respondent is not the owner, and just taking over the project?" The response from the Division Manager was the respondent may be a representative for the owner at the request of the owner. The Board wanted to ensure the respondent would not be the one penalized, just the owner, and that was confirmed. Ty Nguyen has been found to have up to twelve different LLCs. It was discovered Mr. Nguyen applied for a building permit under one LLC, and the permit was denied for various reasons, so he reapplied under a different LLC. That is how Mr. Nguyen is attempting to keep construction going on different projects. There are building inspections that have to pass. Each time an inspection fails, corrections have to be made in order to continue onto the next phase. That has not always happened with some of Mr. Nguyen's properties. Ultimately, a certificate of occupancy may withheld, and typically, the building is not to be occupied until theoretically, the building is built to code. There were no more questions or discussion.

*Harmon made a motion to uphold the citation and fine.*

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

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

**Agenda Item 2025-29 Public Works**

Case # 2025-3877, Citation #2025-6068

Location: 5402 Bakers Spring Street

Owner: 3 Bros LLC

Respondent: Romeo Rom

Officer: Journee Nickson

***Citation Fine \$1,000.00***

This case was the result of contractor found working while a Stop Work Order issued by Public Works, was in place. The following violations were observed; contractor on site doing tile work, track out on the asphalt, grade work.



On 05/02/25 a Stop Work Order was placed on this job site due to multiple violations with the City of Bowling Green, and at other properties owned by the same individual. Comments from City Geologist Nick Lawhon: "At 16:45 on Thursday, May 1, Public Works staff including Nick Lawhon (Geologist), Chad Doughty (Assistant City Engineer), and Andy Souza (Director) arrived at Mr. Nguyen's properties on Stonehenge Avenue, and quickly noted the several egregious code violations. Raw sewage discharged from the lift station at 1960 Stonehenge, an actively overflowing sewer cleanout at 1956 Stonehenge, unpermitted site work (trenching for utility lines), on an expired 811 ticket, which resulted in a hazardous open trench beside a walkway and severed multiple apartment utility connections. NCS Code Compliance staff (Brad Schargorodski, Division Manager) engaged a contractor to install temporary holding tanks for sewage. BGPW staff conferred, and determined to issue Stop Work Orders on all of Mr. Nguyen's building permits on the following grounds: Mr. Nguyen's history of repetitive violations of construction standards as a contractor, the seriousness of the safety and health hazards on-site at the Stonehenge properties. The Stop Work Orders were conditioned such that the violations at 1956 and 1960 Stonehenge must be abated before they can be lifted. Code officials informed Mr. Nguyen on-site that day the Stop Work Orders would be issued for all permits the following day." On 05/02/25, city staff contacted Mr. Nguyen via text and email to inform him of the Stop Work Orders placed on each site. The condition of the location at 5402 Bakers Spring Street was documented with photographs when the Stop Work Orders were posted. On the property, track out was not apparent, and there was a pile of topsoil. In the email notification, and over the phone, the property owner was informed he could not use equipment but could clean up trash, make the site safe, or remove his equipment off site to preserve his property. The owner was informed as long as there was no heavy equipment in operation, or anyone inside the building working that would be fine. On 05/08/25, staff received a phone call from an inspector who took photos of subcontractors doing tile work from inside the units. This was at 9:08am. Staff on site took photos of the contractors leaving the site around 9:23 a.m. During an inspection at 9:23 a.m., mud track out was observed, and the pile of dirt had been graded/removed. On 05/09/25, a citation was issued, then mailed and emailed to the PVA-listed property owner. Our office has not had contact with him since that time. As of 05/27/25, this case has been open 19 days.

The respondent Romeo Rom was still under oath from the previous case.

The respondent stated this is almost the same as the other property. He was told only about cleaning up the trash and he sent a crew to clean up the trash. He was not told about anyone working inside. After the vote and roll call, the respondent was asked to provide the clerk with contact information for himself and for Ty Nguyen. The respondent was made aware another case is coming up on the agenda for the property at 5402 Bakers Spring Street in case he wished to remain to hear it. It is not an appealable action tonight but staff will be requesting the Board approve a per-day fine citation. If approved, staff may then issue the citation, and the citation may then be appealed once it has been issued. There were no more questions or discussion.

***Dearbone made a motion to uphold the citation and fine.***

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

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

➤

➤ OLD BUSINESS – None.

➤ NEW BUSINESS

➤

### **Agenda Item 2025-30 Code Compliance**

Case #2023-4185

Location: 410 East 6<sup>th</sup> Avenue

Owner: Motorcars of Bowling Green LLC

Officer: Sanja Dudaric

#### ***Request for authorization to issue a Per-Day Fine Citation***

This case was the result of a proactive inspection on 07/27/23. The following violation was observed, inadequate or unmaintained roof in disrepair. An NOV was sent to the PVA-listed owner and address. The property was cited on 12/06/23, 05/03/24, and 05/14/24. The case was presented to the Board at the August 2024 hearing to request authorization to issue a per-day fine citation. On 08/29/24, a per-day fine approval letter was mailed to the PVA-listed owner and address. Staff contacted the property owner on multiple occasions since 8/29/2024. The owner initially said he was going to apply for a demolition permit, but later decided to repair the property and have utilities restored. A permit has not been issued, and work on the property has not started in the agreed timeframe, due to past-due fines that remain unpaid. On 12/16/24, the property remained in violation. A per-day fine citation was issued. A copy of the citation was sent to the PVA-listed owner, and posted on the property. Violations listed on the citation were; inadequate or unmaintained roof in disrepair, hazardous structure or premises, unfit for human habitation, broken/boarded/missing windows, failure of duty of maintenance of private property, accumulated construction/demolition/landscape debris, exterior storage of indoor furniture on the premises. On 05/20/25, staff observed the rear of the property sustained significant damage, likely due to the recent storms. The property owner was contacted and stated he has not been monitoring the property, was not aware of the damage, but would reach out to his insurance company. As of 05/27/25, this case has been open for 670 days and remains in violation. No permits have been approved, and the fines (and last five years of property tax) remain unpaid. There were no questions or discussion.

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

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

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

***No – none***



### Agenda Item 2025-31 Code Compliance

Case #2023-4184

Location: 412 East 6<sup>th</sup> Avenue

Owner: Motorcars of Bowling Green LLC

Officer: Sanja Dudaric

#### *Request for authorization to issue a Per-Day Fine Citation*

This case was the result of a proactive inspection on 07/27/23. The following violations were observed; accumulation of construction/demolition/landscape debris and unmaintained roof in disrepair. An NOV was sent to the PVA-listed owner and address. The property was cited on 12/06/23, 05/03/24, and 05/14/24. This case was presented to the Board at the August 2024 meeting to request authorization to issue a per-day fine citation. On 08/29/24, a per-day fine approval letter was mailed to the PVA listed owner and address. City staff contacted the property owner on multiple occasions since that time. The owner initially applied for a demolition permit but later decided to repair the property and to restore the utilities. A permit has not been issued, and work has not started on the property in the agreed-upon time frame due to past-due fines remaining unpaid. On 12/16/24, the property was inspected and remained in violation. A per-day fine citation was issued, posted on the property, and sent to the PVA-listed owner and address. The violations listed on the citation were; hazardous structure or premises, unfit for human habitation, vacant structures or land, inadequate or unmaintained protective treatment, unmaintained exterior walls, failure of duty of maintenance of private property, accumulation of construction, demolition or landscape debris and dilapidated structures. As of 05/27/25 the case has been open for 670 days and remains in violation. No permits have been approved, and the fines (and last five years of property tax) remain unpaid. There were no questions or discussion.

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

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

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

*No – none*

#### ➤ COMMENTS / ANNOUNCEMENTS

The next scheduled hearing for the CENB will be Tuesday, June 24, 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.*


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

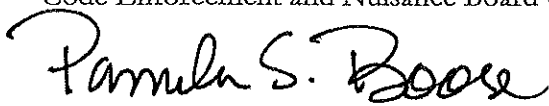
*ROLL CALL: Yes –Dearbone, Gonzalez, Harmon, Holman, Mujkanovic*

*No – none*



ADOPTED: June 24, 2025

APPROVED:   
Code Enforcement and Nuisance Board Chairperson

ATTEST:   
Code Enforcement and Nuisance Board Clerk

