

PAMELA BOOSE  
CENB Clerk  
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RYAN DEARBONE, CHAIR  
JEFF HOLMAN, VICE-CHAIR  
RANDY DEERE  
ANTHONY LAPOINTE  
GENE HARMON

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN  
F O U N D E D 1 7 9 8

MINUTES  
CODE ENFORCEMENT AND NUISANCE BOARD

April 25, 2023 at 4:30 PM

- ❖ CALL TO ORDER @4:29 PM
- ❖ ROLL CALL / ATTENDANCE

BOARD MEMBERS PRESENT: Anthony LaPointe, Ryan Dearbone, Jeff Holman, Gene Harmon, Randy Deere

BOARD MEMBERS ABSENT: None

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose;  
Code Officials: Brad Schargorodski, Heather Lashley, Sanja Dudaric

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick

- ❖ APPROVAL OF MINUTES  
March 28, 2023

*LaPointe made a motion to approve the minutes as revised.  
Deere seconded the motion. The motion passed with a five to zero vote.*

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

- ❖ APPEALS – none.
- ❖ OLD BUSINESS – None
- ❖ NEW BUSINESS

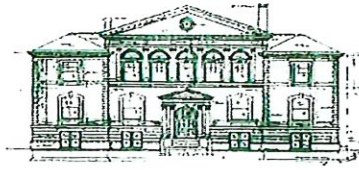
**CASE #1 – Code Compliance**

Case 2022-7854 – 531 Woodford Ave..

Owner: John R. Tutino

Officer: Heather Lashley

*Request for Authorization to Issue Per-Day Fine*



**CITY OF BOWLING GREEN**  
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Officer Lashley stated the case has remained open for 172 days, and the property remains non-compliant. Violations listed on citations for this property include improper glazing, failure to maintain roof and drains, and accumulation of construction, demolition, and/or landscape debris. There have been at a minimum, seven re-inspections with no communication from the PVA listed owner. An attempt to make contact with the owner was made through a relative working for Habitat for Humanity, but the relative did not wish to be involved.

*Holman made a motion to authorize a Per-Day Citation for \$100 per day to run for sixty days or until the property is brought into compliance.*

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

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

**CASE #2 – Code Compliance**

Case 2022-7902 – 305 Old Morgantown Rd.

Owner: J & R Investments LLC

Officer: Sanja Dudaric

***Request for Authorization to Issue Per-Day Fine***

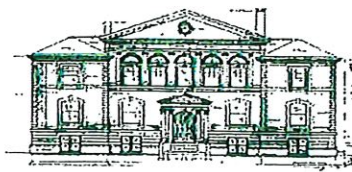
Officer Dudaric stated this was a result of Officer initiated proactive case. The case has remained open for 168 days. The property remains non-compliant. Violations listed on citations for this property include inadequate protective treatment, failure to maintain window/skylight/door frames, and dangerous trees/objects. There have been at a minimum, twelve re-inspections. On 12/19/2022 one of the owners, Jackie Wang communicated with me via phone claiming to be unaware of the violations but would remedy them in the next two weeks. Upon re-inspection, the property remained in violation. The owner communicated via text message several more times saying he was getting someone to complete the work but after each re-inspection, the property remained in violation.

On March 28, 2023, I contacted the City Arborist, Jared Weaver to inspect a tree in the front yard of the property that appeared to be a danger to residents and passersby. Mr. Weaver confirmed the tree is a safety hazard, and would need to be removed.

On 3/29/23, I received a text message from a tenant stating he tried to contact the owner regarding some repairs he needed in his unit. He said he contacted the owner saying he was willing to make repairs/cleanup the property if allowed to deduct the expenses from his rent. He received no reply from the owner.

Attempts to work with the owner have been exhausted as the owner now refuses to communicate with me, and the property is still non-compliant.





**CITY OF BOWLING GREEN**

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*Dearbone made a motion to authorize a Per-Day Citation for \$100 per day to run for sixty days or until the property is brought into compliance.*

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

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

**CASE #3 – Code Compliance**

Case 2022-3045 1107 US 31W By Pass

Owner: Michael Beaty

Officer: Jarrod Poteet – presented by Brad Schargorodski

***Request for Authorization to Issue Per-Day Fine***

Brad stated this case is a complaint case started on May 9, 2022. The following violations were observed; accumulation of landscape debris, failure to maintain roof and drains, failure to maintain private property. The property was issued three citations on 8/31/2022, 9/12/2022 and 9/28/2022. After exhausting multiple attempts, and methods to make contact with the owner, this case was heard by the Code Board to request authorization to enter the property to remove a fallen tree. The request was approved and a City Contractor at a cost of \$575 removed the tree. This case has been open for 346 days, and the property remains in violation due to the damage inflicted upon it from the tree, with no contact from the owner.

*Dearbone made a motion to authorize a Per-Day Citation for \$100 per day to run for sixty days or until the property is brought into compliance.*

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

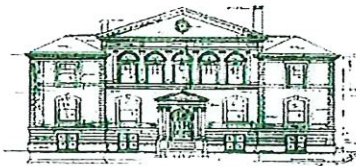
**ROLL CALL: Yes – Harmon, Dearbone, Holman, LaPointe, Deere  
No – none.**

❖ **COMMENTS / ANNOUNCEMENTS**

At 4:46 PM, with the recommendation of Attorney David Broderick, Dearbone made a motion to enter into closed session. LaPointe seconded the motion.

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

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**CODE ENFORCEMENT AND NUISANCE BOARD**  
**April 25, 2023 at 4:46 PM**

❖ **ADJOURNMENT**

At 5:11 PM Holman made a motion to leave the closed session, and adjourn the hearing. Deere seconded the motion.

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

The next scheduled hearing for the CENB will be Tuesday, May 23, 2023 at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

May 23, 2023

APPROVED:

[Signature]

Code Enforcement and Nuisance Board Chairperson

ATTEST:

Pamela S. Boose

Code Enforcement and Nuisance Board Clerk

For more information a copy of the DVD can be reviewed upon request.