

CITY OF BOWLING GREEN
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CODE ENFORCEMENT AND NUISANCE BOARD
MINUTES

January 23, 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, Anthony LaPointe

BOARD MEMBERS ABSENT: none.

STAFF PRESENT: Code Enforcement and Nuisance Board Clerk: Pamela Boose,
Code Officials: Brad Schargorodski, Heather Lashley, Jessica Farris, James Heady, Rachel Hurt

OTHER: Code Enforcement & Nuisance Board Attorney: David Broderick

❖ APPROVAL OF MINUTES – November 28, 2023

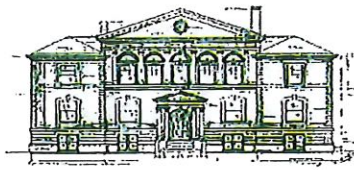
LaPointe made a motion to approve the minutes.

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

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

❖ STAFF SWORN IN

PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



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

COUNSEL: DAVID BRODERICK

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❖ **APPEALS**

ITEM #2024-001 – Code Compliance

Case #2023-5794, Citation #2023-12426

Location: 602 Fairdale Ave.

Owner/Respondent: Gino Metlow

Mr. Metlow was not present at the hearing. Mr. Metlow's attorney, Mr. Phillip Grogan was there to speak on his behalf to make a request for a continuance of the case until the next hearing as Mr. Metlow was unable to attend due to medical reasons. After minor discussion, the Board made a motion.

Dearbone made a motion to table any decision regarding the case until the next hearing in February.

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

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

ITEM #2024-002 – Animal Protection

Case # 2023-5542, Citation #2023-11671

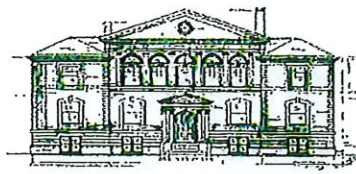
Location: 1010 Beauty Ave.

Owner: Lead Properties

Respondent: Brent Clark

The respondent, Brent Clark called the Code Compliance office on Monday, 1/22/2024, stating he no longer wished to pursue the appeal, and he was not present for the hearing. Code Enforcement & Nuisance Board attorney David Broderick stated to the Board the case should be treated as a no show, and the citation and fine will stand as written.

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FOUNDED 1798

ITEM #2024-003 – Planning & Zoning

Case #2023-5573, Citation #2023-11754

Case #2023-5574, Citation #2023-11757

Location: 178 & 0 Saint Charles St.

Owner/Respondent: Nuriz Mujanovic

Mr. Mujanovic was offered an interpreter via the language line, but he declined the offer stating his daughter, Almadina, would be interpreting for him.

Officer James Heady presented the case to the Board:

This is a complaint case that began 10/14/2019. The two lots were once grass lots, and now they have gravel covering them. The property owner failed to submit a site work development plan or to secure a site work permit. The plans would need to include a landscape buffer, and plans for water drainage. The plans have not been submitted, and the gravel is not permitted. There have been four (4) NOV's, and two (2) citations issued. The property remains in violation. Chairman Dearbone asked if the lapse of time in the report from April 2020 and April 2022 was due to the owner working on a development plan with ACES Engineering/Brian Shirley. Officer Heady replied "that is correct". Officer Heady stated he did not inspect during this time frame since they working with the engineer and they submitted plans to the CDR (Comprehensive Development Review) for review.

Miss Almadina and Mr. Nuriz Mujanovic were sworn in and they spoke to the Board Members:

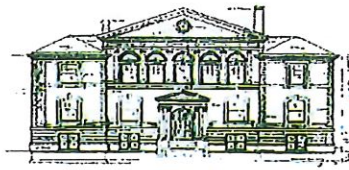
Miss Almadina stated there is no intent to be in violation, just a misunderstanding due to a language barrier. Due to the language barrier, Mr. Mujanovic was having a friend/realtor assist with the detail of the property and making the changes to the property. Miss Almadina normally assists her father in these matters but has been away in Lexington for school. She is now back to assist him, and says her father is willing to do whatever is necessary to correct the violations but they just need a clear explanation of what is required. Co-Chair Holman asked what is needed going forward. Officer Heady stated the engineer can fill out the site work application, and submit the site work development plan that includes the landscape and drainage plans to the CDR for review.

Officer Heady stated he spoke to Mr. Mujanovic's friend/realtor on 9/29/2023 and he told Officer Heady it could cost approximately \$200,000.00. At that point, progress to compliance was stalled. Miss Almadina said they have a contract in place with ACES Engineering and she quoted what the contract said it included. Per Rachel Hurt, the contract is just for the plans. It could take a few months just to get plans approved. Then construction would begin. So long as we can maintain communication between all involved parties, compliance is the goal.

***Dearbone made a motion to uphold the citation and waive the fine of \$800.00
LaPointe seconded the motion. The motion passed with a four to one vote.***

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

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❖ **OLD BUSINESS**

ITEM #2024-0004 – Code Compliance

Case #2023-4098

Location: 1023 State St.

Case Update

Officer Schargorodski presented the update to the Board.
Safety fencing was installed at 6 AM, November 28, 2023, as ordered by the Code Board during the November hearing. All three properties were sold to Warren County. Scott & Ritter have applied for a demolition permit.

❖ **NEW BUSINESS**

ITEM #2024-0005 – Code Compliance

Case #2023-0254

Location: 1612 Johnson Dr.

Owner: Juan & Ruelas Carmen Rolon

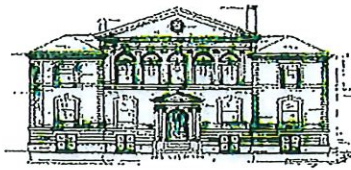
Request for Authorization to Issue Second Per-Day Fine

Officer Heather Lashley presented the case to the Board Members.
The case has now been active for 362 days. Three citations have been issued. The following violations were listed on the citation dated 7/18/2023; vacant structure & land, accessory structure, stairs, decks, porches, balconies, protective treatment, roof and drainage, duty of maintenance, accumulation of construction, landscape, and demolition debris, dilapidated fences and wall, abandoned structures. A per-day fine citation was approved for this property at the August 2023 CENB hearing, and the citation was issued on 9/6/2023. The sixty day period has elapsed and the property remains in violation. Staff is requesting authorization to issue a second per-day fine citation.

LaPointe made a motion to authorize a Per-Day fine citation to run for sixty days or until the property is brought to compliance.

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

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



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ITEM 2024-006 – Code Compliance

Owner: Krista L. Robertson

Officer: Brad Schargorodski

Request for Authorization for Repeat Offender Designation

Officer Schargorodski presented the case to the Board Members. Krista L. Robertson meets the criteria for a repeat offender. There have been six citations issued on 5/23/23, 6/27/23, 7/27/23, 8/22/23, 9/19/23, and 10/25/23 that count toward the repeat offender status. There are fees/fines of \$3,728.14 that remain unpaid. Staff request Krista L. Robertson be assessed the maximum amount for future violations of \$1,200.00 for a period of 24 months.

Dearbone made a motion to authorize the Repeat Offender Designation and set fines to be \$1,200.00 for 24 months.

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

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

❖ **COMMENTS / ANNOUNCEMENTS**

❖ **ADJOURNMENT**

Dearbone made a motion to adjourn the hearing at 5:06 PM.

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

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

The next scheduled hearing for the CENB will be Tuesday, February 27, 2024, at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

2/27/2024

APPROVED:

[Signature]

Code Enforcement and Nuisance Board Chairperson

ATTEST:

[Signature]

Code Enforcement and Nuisance Board Clerk

CODE ENFORCEMENT AND NUISANCE BOARD

1001 COLLEGE STREET

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