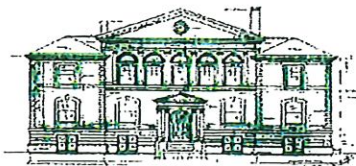


PAMELA BOOSE
CENB Clerk
Phone: 270.393.3102
Fax: 270.393.3077
Email: Pamela.Boose@bgky.org



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

COUNSEL: DAVID BRODERICK

CITY OF BOWLING GREEN

F O U N D E D 1 7 9 8

CODE ENFORCEMENT AND NUISANCE BOARD MINUTES

July 25, 2023 at 4:30 PM

❖ CALL TO ORDER @ 4:34 PM

❖ ROLL CALL / ATTENDANCE

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

BOARD MEMBERS ABSENT: None

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

OTHER: Code Enforcement & Nuisance Board Attorney: Chris Davenport

❖ APPROVAL OF MINUTES

June 27, 2023

Dearbone made a motion to approve the minutes.

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

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

❖ STAFF SWORN IN

❖ APPEALS

CASE #1 – Code Compliance

Case 2022-7381 – Citation 2022-13544.20 - 1157 Clay St.

Owner: Anna Rochelle Rodriguez

Officer: Heather Lashley

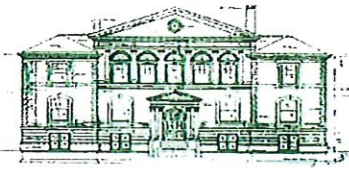
Citation Fine: \$1,004.75

CODE ENFORCEMENT AND NUISANCE BOARD

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Officer Lashley presented the case to the board, stating the case is the result of a proactive inspection conducted on 10/7/2022. The case has been open for 290 days. The following violations were cited; missing/inadequate protective treatment, accumulation of junk/scrap metal, accumulation of construction, demolition/landscape debris, exterior use/storage of indoor furniture, scattered garbage, outdoor storage of tires, and accumulation of rubbish/garbage. A Notice of Violation was sent to the PVA listed owner on 10/7/2022. There were eighteen follow up inspections in the timeframe of; 11/10/2022 through 6/21/2023. The property remained in violation at each inspection. Officer Lashley communicated with the owner via text message twenty-one separate messages during the time frame of; 11/10/2022 through 6/14/2023. On 6/23/2023, the property was re-inspected and remained in violation. On 6/29/2023, the owner advised Officer Lashley the property was being sold, and was under contract. On 6/30/2023, Officer Lashley checked property deeds, and did not find a change of property owner. On 7/5/2023, the property was re-inspected and remained in violation, and a citation was issued. On 7/14/2023, the owner sent Officer Lashley digital photos via text, showing work was proceeding on the property. A building permit had been issued, but Officer Lashley found work being done outside the scope of the permit, and advised to stop work and secure a permit before proceeding. Officer Lashley said the respondent has always kept up communication with her, but the progression of the property has been very slow.

The respondent, Mrs. Anna Rodriguez was present and she explained to the Board that although the house is in her name, the house actually belongs to her father-in-law. He cannot have the property in his name for a reason she did not disclose or know. Her father-in-law planned to renovate the house, and live in it. He works in the construction industry with her husband and they travel extensively. If the weather is bad on their current jobsite, and it is good in Bowling Green, they work on the property at those times. Mrs. Rodriguez said another factor affecting them is work in the area seems to be slowing, so workers leave. This creates problems securing a crew to assist with work on the property. Mrs. Rodriguez feels she is being punished, and taking the hit for something she has no control over. She would like to see the property sold. Board Member Dearbone asked if she thought it possible for the exterior of the property be completed and cleaned up thirty days. Mrs. Rodriguez thought it possible and she would relay the deadline to her husband and father-in-law.

Dearbone made a motion to table the Boards decision for thirty days, and hear the case again at the August 22, 2023 hearing.

Gonzalez seconded the motion. The motion failed with a three to two vote.

ROLL CALL: YES – Dearbone, Gonzalez

NO – Harmon, Holman, LaPointe

Lapointe made a second motion to uphold the citation and fine of \$1,004.75

Holman seconded the motion. The motion passed with a three to two vote.

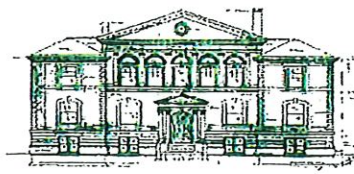
ROLL CALL: YES – Harmon, Holman, LaPointe

NO – Dearbone, Gonzalez

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❖ OLD BUSINESS – None

❖ NEW BUSINESS

CASE #2 – Code Compliance

Case #2022-7854 – 531 Woodford Ave.

Owner: John R. Tutino

Officer: Heather Lashley

Request for Authorization to Issue 2nd Per-Day Fine

Officer Lashley stated this case is a result of a proactive inspection on 11/3/2022, and she sent a Notice of Violation on that date. The case has been open 259 days. The following violations were cited; unmaintained/inadequate glazing, inadequate/unmaintained roof and drainage, accumulation of construction/demolition/landscape debris. Citations were issued on 2/24/2023, 3/8/2023, and 3/24/2023. At the Code Enforcement & Nuisance Board hearing in April 2023, the Board authorized a Per-Day Fine Citation, and that citation was issued on 5/8/2023. On 7/10/2023, the property was re-inspected and remained in violation.

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.

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

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

CASE #3 – Code Compliance

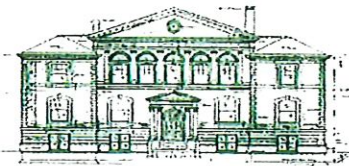
Case #2022-7902 – 305 Old Morgantown Rd.

Owner: J & R Investment LLC

Officer: Sanja Dudaric

Request for Authorization to Issue 2nd Per-Day Fine

Officer Dudaric stated this case was a result of a proactive inspection on 11/8/2022, and a Notice of Violation was sent to the PVA listed owner. The following violations were observed; inadequate protective treatment, failure to maintain window/skylight/door frames. Three citations were issued on 3/20/2023, 3/31/2023 and 4/12/2023. At the Code Enforcement & Nuisance Board hearing in April 2023, the Board authorized a Per-Day Fine Citation, and that citation was issued on 5/8/2023. On 7/7/2023, the property was re-inspected and remained in violation.



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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.

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

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

CASE #4 – Code Compliance

Owner: J 7R Investment LLC

Officer: Brad Schargorodski

Request for Repeat Offender Designation

Officer Schargorodski reviewed the process, qualifying criteria, and results for a Repeat Offender to the Board since there was a new board member present. J & R Investment LLC is owned by Jackie Wang, the “J” and the “R” is tied to Russell Hankins. This entity qualifies under all three categories, A, B, and C for a Repeat Offender. There have been six citations issued, and the unpaid fines, and fees total \$8,673.53.

Harmon made a motion to authorize the Repeat Offender Designation with a citation fine of \$1200.00 for a period of 24 months.

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

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

CASE #5 – Code Compliance

Owner: Corporate Services Solutions of Southern KY

Officer: Brad Schargorodski

Request for Repeat Offender Designation

This entity qualifies under all three categories, A, B, and C for a Repeat Offender. There have been eight citations issued, and the unpaid fines, and fees total \$2,976.70

Dearbone made a motion to authorize the Repeat Offender Designation with a citation fine of \$1200.00 for a period of 24 months.

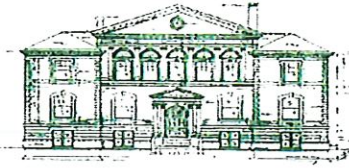
LaPointe seconded motion. The motion passed with a five to zero vote.

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

❖ **COMMENTS / ANNOUNCEMENTS**

Brad announced staff changes to the board; Josh Langlois left for a position at WKU, Jarrod Poteet is leaving August 1st for a building inspector position, still with the City, and AC Officer Mary Hudson will be leaving in less than two weeks to pursue her dream of training horses.

PAMELA BOOSE
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❖ **ADJOURNMENT**

At 5:15 PM Dearbone made a motion to adjourn the hearing.
Holman seconded the motion.

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

The next scheduled hearing for the CENB will be Tuesday, July 25, 2023 at 4:30 PM in the City Hall Commission Chamber located on the second floor of City Hall.

ADOPTED:

August 22, 2023

APPROVED:

[Signature]
Code Enforcement and Nuisance Board Chairperson

ATTEST:

[Signature]
Code Enforcement and Nuisance Board Clerk

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