

Code Enforcement Board Minutes July 11, 2017

The Murray Code Enforcement Board met in regular session on July 11, 2017 at 5:00 p.m. in the Council Chambers of City Hall located at 104 North 5th Street.

Board Members Present: Chairman Danny Brittain, Mitzi Key, Marsha Dorgan, Gayle Balentine, Deana Wright and Mike Basiak.

Others Present: Attorney Chip Adams, Officer Tim Fortner, Secretary Maressa Travis, Christi Spann, Mason Henry, Brad Gallimore and general audience.

The meeting was called to order by Chairman Brittain. Roll call attendance was taken.

Approval of May 2, 2017 minutes: A motion was made by Member Mitzi Key to approve the minutes of the last meeting and member Marsha Dorgan seconded. A voice vote was taken to approve the minutes of the May 2, 2017 meeting and all approved.

Public Hearing—Welcome Home Properties/Murcas Properties: Chairman Brittain called the meeting to order and Secretary Travis read the case information. This hearing is revisited to show cause as to why the \$3,000 fine should be dismissed. Chairman Brittain called Officer Tim Fortner forward and he was sworn in. Officer Fortner said that Christi Spann called him on the day prior to this meeting and asked if he would come to the property in question and verify all violations and complaints were now complaint. All violations were now compliant, the tenant reported everything was fine and repairs were made. Chairman called Christi Spann forward and she was sworn in. Member Key confirmed with Ms. Spann that all violations are now compliant and she confirmed they were. **Member Key made a motion to dismiss the \$3,000 citation and Member Marsha Dorgan seconded. A vote was taken and the motion carried 6-0.**

Public Hearing—Mai Beasley: Chairman called the meeting to order and Secretary read the case information. This case was in regards to a \$700 citation received for renting a rear accessory structure to an individual when the structure was to be sealed off. Officer Fortner was called forward and he remained under oath. Officer Fortner stated that the property at 1632 Miller Street, Murray, Kentucky has been sold to Michael Stanger and Ryan Stanger, according to the General Warranty Deed provided by their attorney, Greg Taylor. Officer Fortner stated that the property is still not compliant but he was working with the new owners to come into compliance but the citation should not be dismissed because there is a different owner; the citation carries over to the new owners. Because this was the first instance the Board has had regarding non-compliant, cited property sold to another individual, Attorney Chip Adams suggested that the Board issue an order to show cause to Michael Stanger and Ryan Stanger to come forth in 90 days to see what kind of progress they have made on the property to bring to compliance. Officer Fortner said he spoke with Mr. Ryan Stanger and there is a possibility the property be torn down but they haven't decided yet. **Member Dorgan made a motion to issue an order to show cause in 90 days or when the appropriate date of the next Code Enforcement Board meeting. Attorney Adams suggested the order to show cause should be to show cause why they should not be fined. Member Key seconded the motion and a voice vote was taken. The motion was carried 6-0.**

Public Hearing—Mai Beasley: Chairman called the hearing to order and Secretary Travis read the case information. Officer Fortner returned to the stand and stated this is the same property as the previous complaint, but for different structural violations. **Marsha Dorgan**

made the motion to issue an order to show cause for the new owners to show why they should not be cited for the fine on the original citation. Mike Basiak seconded and a vote was taken. The motion carried 6-0.

Public Hearing—Mason Henry: Chairman Brittain called the hearing to order and Secretary Travis read the case information. Officer Fortner came forward to read an affidavit from Officer Joel Natividad. Attorney Adams reviewed the affidavit and stated the case needed to be dismissed as Officer Natividad was not present and there was insufficient evidence. **A motion to dismiss was made by Member Key and Deana Wright seconded. A vote was taken and the dismissal was carried.**

Default Hearing—Murray Hatchery and Rare Chickens/Brad Gallimore: Chairman called the hearing to order and Secretary Travis read the case information. Sgt. Shutt was not present at the hearing. **Marsha Dorgan made a motion to dismiss and Mike Basiak seconded. A vote was taken and the motion carried 6-0.**

Default Hearing—Theresa Crittendon: Chairman Brittain called the hearing to order. This was a default hearing and Secretary Travis asked to board to accept the documentation as written and they agreed. Secretary stated the order to mow, board up, and fine of \$1,400. Officer Fortner stated he had posted the citation on the property and Attorney Adams said that was sufficient service. **Chairman Brittain declared the case as a default.**

Default Hearing—Tony Nolcox/Midwest Nursey Sales and Management: Chairman Brittain called the default hearing to order and Secretary read the case information. **Chairman declared this is a default judgement and the fine of \$700 was upheld and to be paid within 30 days.**

Default Hearing—Gloria Landrum, et. al.—Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the order to mow was to be enforced and the property brought into compliance.**

Default Hearing—Nye Management for Forrest Revocable Trust—Chairman called the default hearing to order. Attorney Adams asked for clarification of the citation issued to Nye Management. Officer Fortner stated that this was the second citation issued to Nye Management, as the violations ordered into compliance after a judgement issued on November 21, 2016 were still not compliant. Secretary Travis read the case information. **Chairman declared this a default judgement and the \$9,000 fine was upheld.**

Default Hearing—Patricia Miller—Chairman Brittain called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the \$9,000 fine was upheld.**

Default Hearing—Jeanne Carroll—Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the \$50.00 fine was upheld.**

Default Hearing—Jeanne Carroll—Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the \$50.00 fine was upheld.**

Default Hearing—Tara Alexander—Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the \$50.00 fine was upheld.**

Default Hearing—Ella Dunbar Estate—Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the order to mow was to be enforced and the property brought into compliance.**

Default Hearing—LD Gammons-- Chairman called the default hearing to order and Secretary Travis read the case information. **Officer Fortner stated this was brought before the Board in error as an order to mow was received in November.**

Default Hearing—Bryan or Rhonda Young-- Chairman called the default hearing to order and Secretary Travis read the case information. **Chairman declared this a default judgement and the order to mow was to be enforced and the property brought into compliance.**

Default Hearing—Les Humphreys-- Chairman called the default hearing to order and Secretary Travis read the case information. **Officer Fortner stated this was brought before the Board in error as an order to mow was received in November.**

Default Hearing—Erica Harvey—Chairman called the default hearing to order and Secretary Travis read the case information. Officer Fortner stated this hearing is for an order to mow only. Attorney Adams informed the Board that Erica Harvey is now deceased and the notices have been sent to the heirs about the structure violations. **Chairman declared this a default and the order to mow was upheld.**


Default Hearing-Omaira Watson—Chairman called the default hearing to order and Secretary Travis read the case information. **The Chairman declared this a default judgement and the \$9,000 fine is to be upheld as well as an order to mow and an order to raze and remove.**

There were no questions or comments.

Secretary confirmed the next meeting of the Code Enforcement Board is August 1, 2017.

Mitzi Key made a motion to adjourn and Marsha Dorgan seconded.


Chairman


Recording Secretary, Maressa Travis