

Code Enforcement Board Minutes June 5, 2018

The Murray Code Enforcement Board met in regular session on June 5, 2018 at 5:00 p.m. in the Council Chambers Meeting Room of City Hall located at 500 Main Street. (It was noted before the meeting that this meeting would be audio-recorded only.)

Board Members Present: Chairman Danny Brittain, Gayle Balentine, Mike Basiak, and Pete Lancaster.

Others Present: Officer Tim Fortner, Officer Kendra Clere, Sgt. Jay Herndon, Officer Justin Swope, Officer Kenny Jenkins, Joshua Lewis, Steve Adcock, Wendy Henry, Paul Bennett, Beverly Nolan, Monty McCuiston, Ovaleen Charles and Secretary Maressa Travis.

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

Approval of May 1, 2018 minutes: A motion was made by Member Pete Lancaster to approve the minutes of the last meeting and member Mike Basiak seconded. A voice vote was taken to approve the minutes of the May 1, 2018 meeting and all say aye.

Public Hearing—Bryan Warner: The public hearing was called to order. Secretary Maressa Travis read the case information. Chairman asked if Officer Mike Balentine was present. He was not. Officer Kenny Jenkins was called forward to make a statement. Officer Jenkins was unable to swear that he was with Officer Balentine in the same parking lot but he did not see Officer Balentine issuing the violation. Chairman called for Respondent Bryan Warner but he was not in attendance. Chairman Brittain declared the hearing a default and the compliance order was upheld. A city sticker must be purchased and the citation paid for a total of \$250.00.

Public Hearing—Joshua Lewis: The public hearing was called to order and secretary read the case information. Officer Balentine was not in attendance and the citation was dismissed for lack of evidence. Mr. Lewis was in attendance and asked to make a statement. Chairman swore in Joshua Lewis. Mr. Lewis stated he purchased a city sticker for a vehicle that had been wrecked. Secretary Travis informed Mr. Lewis the citation was dismissed but Mr. Lewis stated he wanted to do a transfer to a new vehicle. Secretary Travis reminded Mr. Lewis that the transfer was not completed within the 30 day window and Mr. Lewis stated he tried to buy a transfer sticker but didn't think he should have to pay for a new sticker, as required by ordinance. Chairman stated the Code Enforcement Board could only address the citation, which was dismissed, and didn't have any control over the sticker cost itself. Mr. Lewis asked for information to appeal to District Court. Secretary stated she would send the signed findings within seven days. Respondent was to become compliant by purchasing a city sticker for \$150.00.

Public Hearing—Wendy Henry: Chairman called the public hearing to order. Secretary read the case information. Chairman asked if any board members had any direct or indirect personal or financial interest in this matter and they all stated no. Chairman called Officer Swope forward and he was sworn in. Officer Swope stated he issued the city sticker violation in question. There were no questions for Officer Swope. Chairman called Wendy Henry forward and she was sworn in. Ms. Henry stated she had a sticker for her vehicle but it was in an accident and she didn't think she had to get a new sticker because of the January 1 implementation of the payroll tax. Member Gayle Balentine asked if the board could dismiss the city sticker charge and Secretary Travis stated the board can only address the citation, not the sticker itself. There were no questions for Ms. Henry. **A motion was**

made by Gayle Balentine to dismiss the citation and Pete Lancaster seconded. A vote was taken to dismiss the citation and the motion carried 4-0. Ms. Henry was ordered to become compliant within 30 days.

Ms. Henry stated she felt there was a conflict of interest because Officer Swope worked at Lowes. Secretary Travis stated Ms. Henry will receive the findings and order and she can appeal to the District Court.

Public Hearing—Steven Adcock: Chairman called the public hearing to order and Secretary read the case information. Chairman asked if any board members had any direct or indirect personal or financial interest in this matter and they all stated no. Chairman called Officer Swope forward and he was sworn in. Officer Swope stated he issued the city sticker in question. There were no questions for Officer Swope. Chairman called Steven Adcock forward and he was sworn in. Mr. Adcock stated the vehicle was not running for the majority of the year and he rarely drove it. He stated he does have stickers on his other vehicles. He stated that he is in the process of getting a divorce and all of his mail is not getting forwarded to him. Mr. Lancaster asked why it was parked at Lowes if he never drove it. Mr. Adcock stated he didn't think he should have to pay the fine amount because the board doesn't control the mail being forwarded. There were no more questions for Mr. Adcock. **Member Pete Lancaster made a motion to dismiss the citation and Mike Basiak seconded. A vote was taken and all answered aye. The motion carried by a vote of 4-0.**

Public Hearing—Allen Humphries: Chairman called the public hearing to order and Secretary read the case information. Chairman asked if any board members had any direct or indirect personal or financial interest in this matter and they all stated no. Chairman called Officer Swope forward and he was sworn in. Officer Swope stated he issued the city sticker in question. There were no questions for Officer Swope. Chairman called Mr. Humphries forward but he was not in attendance. **Chairman declared the case a default and the \$100.00 citation was upheld.**

Public Hearing—Ovaleen Charles: Chairman called the public hearing to order and Secretary read the case information. Chairman asked if any board members had any direct or indirect personal or financial interest in this matter and they all stated no. Chairman called Sgt. Jay Herndon forward and he was sworn in. Sgt. Herndon stated he did issue the citation in question. There were no questions for Sgt. Herndon. Chairman called Ovaleen Charles forward and she was sworn in. Ms. Charles stated she did not see the violation on the vehicle and by the time she received the citation, the vehicle had been salvaged. There were no more questions for Ms. Charles and the hearing was closed. **Member Lancaster made the motion to dismiss the citation and Member Balentine seconded. A vote was taken and the motion carried 4-0. Ms. Charles was to become compliant within 30 days.**

Public Hearing—Paul Bennett: Chairman called the public hearing to order and Secretary read the case information. Chairman asked if any board members had any direct or indirect personal or financial interest in this matter and they all stated no. Chairman called Officer Kendra Clere forward and she was sworn in. Officer Clere stated she did issue the city sticker violation to the vehicle. There were no questions for Officer Clere. Chairman called forward Paul Bennett and he was sworn in. Mr. Bennett stated he moved back to Murray earlier in the year and didn't think he had to have a city sticker because of the payroll tax. He stated he received the violation when he was having dialysis in the Southside Shopping Center. The board had no questions for Mr. Bennett and the hearing was closed. **Member**

Lancaster made a motion to dismiss the citation of \$100.00 and Member Balentine seconded. A vote was taken and the motion carried 4-0. Mr. Bennett was to become compliant within 30 days.

Default Hearing—Rudolph Estate (c/o Teresa Crittendon): Secretary Travis stated the case number and location of the violation. Chairman elected to accept the violation and ordered the property be mowed.

Default Hearing—Gloria Landrum, et.al: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the violation and ordered the property to be mowed.

Default Hearing—Michael Maxwell: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Stacey or Marcey Orange: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Brendaysha or Latisha Beason: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Tessa Hobbs: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

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Default Hearing—Courtney Burden: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Wesley Canup: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Derrick Horne: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Megan or Barry Smith: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Lisa Crowder: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Verla or Ronald Robinson: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Default Hearing—Joshua Jones: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

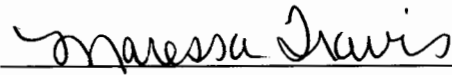
Default Hearing—Ruth Nichols: Secretary Travis stated the case number and location of the violation. Chairman elected to accept the citation and declared the case a default.

Secretary asked if there were any questions or comments. Secretary stated the date of the next meeting is scheduled for July 3, but that meeting may be cancelled. The August meeting will be held on August 7, 2018.

There were no more comments and the meeting was adjourned.

A handwritten signature in black ink, appearing to be "Ruth Nichols", written over a horizontal line.

Chairman

A handwritten signature in black ink, appearing to be "Maressa Travis", written over a horizontal line.

Recording Secretary, Maressa Travis