

Code Enforcement Board Minutes

December 2, 2014

The Murray Code Enforcement Board met in regular session on December 2, 2014 at 5:00 p.m. in the Council Chambers of City Hall located at 104 North 5th Street.

Board Members Present: Acting Chairman Mitzi Key, Mike Lovins, Kim Hampton and Mike Basiak.

Others Present: Officer Tim Fortner, Officer Jay Herndon, Maressa Travis, Karan Reynolds, Susan Hood, Lionel Hood, Aaron Perkins, Glenda Wright and general audience.

The meeting was called to order by Member Mitzi Key. Due to Chairman Danny Brittain's absence, Member Mike Lovins made the motion to vote Member Mitzi Key as acting chairman. The motion was seconded by Member Mike Basiak.

Approval of November 4, 2014 Minutes: A voice vote count was given and all were in agreement.

Public Hearing—Karan Reynolds or Megan Forth: Chairman Key called the public hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All board members answered no. Chairman asked the citing officer to come forward. Officer Fortner came forward and was sworn in. Officer Fortner stated that while he was responding to a complaint at a neighboring property, he noticed property violations at 414 S. 8th Street. Contact was made with daughter Megan Forth and a notice of violation was issued. Officer Fortner stated that at the time of the NOV due date, all of the violations were not brought into compliance and a citation was issued. An appeal was received prior to the citation due date so all actions were stopped pending the CEB decision. Officer Fortner stated that the property is now in compliance. The Respondent, Karan Reynolds, came forward and was sworn in. The Respondent admitted that everything Officer Fortner stated was true and that she didn't deny the violations but it was not the norm and the violations were now corrected. **Member Kim Hampton made the motion to fine the Respondent \$150, to be paid within 30 days. Mike Lovins seconded the motion. The motion was carried by a 4-0 vote.**

Public Hearing—Susan Hood: Chairman Key called the public hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members answered no. Chairman asked the citing officer to come forward. Officer Fortner came forward and stated that as a result of a citizen's complaint, a notice of violation was issued to the property at 605 Pine Street. A vehicle on the property was in disrepair and unregistered. Brush and limbs were on the property, as well. A timeline of NOV and citation dates was presented. Chairman called Respondent, Susan Hood, forward and she was sworn in. Mrs. Hood disagreed with several points Officer Fortner presented, including the date the NOV was signed for at the post office, and that they chose to not to register the vehicle. Mrs. Hood indicated there was trouble with registering the vehicle. Member Hampton asked why they had not registered the vehicle and not acquired the title. Mrs. Hood stated all violations had been completed prior to the 2nd NOV, with the exception of the vehicle. She felt they could not complete everything within the time frame given and that it was unfair. Officer Fortner

again came forward and clarified statements regarding the NOVs and the citation. Chairman Key called Maressa Travis to speak; she was sworn in. Ms. Travis described a conversation with Mrs. Hood regarding the vehicle registration, that they have four vehicles and only the two of them and that they didn't want to register the vehicle. Mrs. Hood again came forward and tried to explain why she stated to Ms. Travis as to why they didn't want to register the vehicle. **Member Hampton made a motion to fine the Respondent \$350.00, to be paid within 30 days. The motion was seconded by Mike Lovins and passed with a 4-0 vote.**

Public Hearing—Aaron or Kathy Perkins: Chairman Key called the public hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members answered no. Chairman asked the citing officer to come forward. Officer Fortner came forward. Officer Fortner indicated he responded to a complaint made by a citizen and while speaking with the owner of the property in question, Respondent Aaron Perkins came out and walked to the back with the owner and Officer Fortner. Respondent volunteered the information that he did dispose of some of the tree limbs in the area and he was then given the Notice of Violation. When the deadline passed for the violation, Respondent was cited and was issued a 2nd NOV, which was refused. Chairman called Respondent Aaron Perkins forward and he was sworn in. Mr. Perkins explained that yes, he did throw limbs in the woods but that people have been doing it for twenty years, not just him. Member Lovins asked if he told Officer Fortner he would get rid of the limbs and Mr. Perkins said yes but it was just woods and everyone has thrown limbs in the woods. Officer Fortner came forth and admitted from the roadway, he would not have seen the limb pile and that he walked out with the owner of the property and Mr. Perkins joined them. Officer Fortner agreed that it an undeveloped woods and said the yard is a nice yard. **The public hearing was closed and a motion made by Mike Basiak to dismiss the violation. Kim Hampton seconded the motion. The motion was passed in a 4-0 vote.**

Public Hearing—Glenda Wright: Chairman Key called the public hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Officer Herndon approached and was sworn in. Officer Herndon stated Respondent was stopped for a violation and he noticed she did not have a city sticker at that time. A Notice of Violation was then issued. Chairman Key called the Respondent, Glenda Wright, forward and she was sworn in. Respondent stated she didn't have the money to pay the fine and that she appealed because she didn't read the violation and the citation. Chairman closed the public hearing. **Member Lovins made the motion to fine the Respondent \$100.00, to be paid within 90 days. Mike Basiak seconded the motion. The motion passed in a 4-0 vote.**

Default Case—Gloria Landrum: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Officer Fortner came forward to explain why there were two citations. Pictures of the overgrown vacant lot were passed to the board. The dateline of mailing NOVs and citations was presented. Chairman closed the default case. **Member Hampton made a motion to fine Respondent \$1,750.00 to be paid within 30 days and issued an order to mow within 30 days. Mike Lovins seconded the motion and it carried with a vote of 4-0.**

Default Case—Thomas Hornbuckle: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Officer Fortner came forward and described the property and its violations. Because the

property is now compliant, Chairman closed the hearing. **Mike Lovins made a motion to reduce the fine to \$150.00, to be paid within 30 days. Kim Hampton seconded the motion and it carried with a 4-0 vote.**

Default Case—Ricky Sheridan: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. Chairman Key indicated she is friends with the Respondent and did not want to cast a vote. Chairman closed the default case. **Member Kim Hampton made a motion to fine the Respondent \$350.00 to be paid within 30 days. The motion was seconded by Member Lovins and carried with a 3-0 vote.**

Default Case—Ryan Berberich: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Chairman closed the default case. **Member Basiak made the motion to fine the Respondent \$100.00 to be paid within 30 days. Kim Hampton seconded the motion and it carried with a 4-0 vote.**

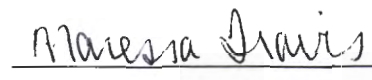
Default Case—Jason Purcell/Blade Tech: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Maressa Travis gave information regarding the Respondent's case. Respondent has paid for the business license but not the citation fine. Chairman closed the default case. **Mike Lovins made a motion to fine the Respondent \$100.00 to be paid within 30 days. Mike Basiak seconded the motion and it carried with a 4-0 vote.**

Default Case—Susan Miller: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Chairman closed the default case. **Member Hampton made a motion to fine the Respondent \$50 and Mike Lovins seconded the motion. The motion carried with a 4-0 vote.**

Default Case—Falconite Real Estate Holdings, LLC: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Chairman closed the default case. **Member Kim Hampton made a motion to fine the Respondent \$700.00, to be paid within 30 days. Member Basiak seconded the motion and it carried with a 4-0 vote.**

There were no more questions or comments. Member Mike Lovins made a motion for the meeting to be adjourned and Member Mike Basiak seconded the motion.


Chairman, Mitzi Key


Recording Secretary, Maressa Travis