

Code Enforcement Board Minutes February 3, 2015

The Murray Code Enforcement Board met in regular session on February 3, 2015 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, Mike Basiak and Sam Underwood.

Others Present: Officer Tim Fortner, Officer Matt Davis, Sgt. Kendra Clere, Maressa Travis,, Matthew Bailey, 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.

Approval of December 2, 2014 Minutes: A voice vote count was given and all were in agreement.

Public Hearing—Michael Filosa for Alpha Sigma Phi Fraternity: 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 interests in this matter. All board members answered no. Chairman asked the citing officer to come forward. Officer Davis came forward and was sworn in. Officer Davis stated that he responded to a noise complaint at the fraternity house. At the first call, he spoke with Michael Filosa, president of the fraternity, and warned him to keep the music down and the people outside to stop yelling. Less than 30 minutes later, they were called to the residence again. He spoke with the president of the fraternity again and cited them for excessive noise. Chairman called the Respondent Michael Filosa forward. Mr. Filosa was represented by Matthew Bailey. He was sworn in by Chairman Key. Mr. Bailey presented a prepared timeline of the events and answered questions from the members regarding the crowd noise levels at the house. Mr. Bailey requested the citation be dismissed with the stipulation that the fraternity purchase a noise reduction tarpaulin. **Member Lovins made the motion to dismiss the fine with the stipulation the fraternity purchase the tarpaulin within 30 days. Kim Hampton seconded the motion and a vote was taken. The motion was carried by a 5-0 vote.**

Public Hearing—Roy Weatherly: 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. Although Mr. Weatherly requested a hearing, he was not in attendance and the case was in default. **The \$700.00 fine was automatically enforced and a vote was taken. The vote carried 5-0.**

Request for Extension—Paula and David Palmer: Chairman Key called the Request for Extension to order and Maressa Travis read the case information. Ms. Travis then read a letter from Attorney Qualls requesting an extension on behalf of Respondents Paula and David Palmer. Chairman Key asked the board if they had any direct or indirect financial or personal interests in this matter. All board members stated they did not. The board members discussed the status of the property violations. Chairman Key called Officer Fortner to address questions the board had. **The motion to grant an extension to April 15, 2015 was made by Sam Underwood and seconded by Mike Lovins. The motion was passed in a 4-1 vote with Member Kim Hampton voting no.**

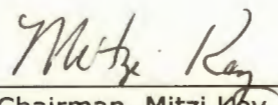
Default Case—Rhonda or Bryan Young: Chairman Key called the default hearing to order and Maressa Travis read the case information for three citations. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Chairman Key called Officer Fortner forward. Officer Fortner explained how he found the Respondents in Missouri and how violations and citations were sent to Mrs. Young at her employment. **A motion was made by Member Hampton and seconded by Member Lovins in regards to the first citation in the amount of \$700.00. A vote was taken and the motion was passed with a 5-0 vote for the \$700.00 to be paid within 30 days along with the order to mow. A motion was made by Member Hampton in regards to the \$1,050.00 citation and order to mow and seconded by Member Underwood. The motion carried with a 5-0 vote. A motion was made by Member Hampton and seconded by Sam Underwood in regards to the citation in the amount of \$1,750.00 and order to mow. The motion was passed with a 5-0 vote. The total amount of \$3,500.00 is due within 30 days.**

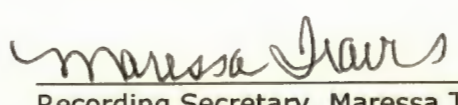
Default Case—Cassandra Bolen (AKA Christina Shepard): Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman asked the board if they had any direct or indirect financial or personal interest in this matter. All Board members said no. Officer Fortner came forward and offered information on the property and structures. **Member Sam Underwood made the motion to fine the owner \$6,000 and the costs to raze and remove the structures and rubbish. Member Hampton seconded the motion. A vote was taken and the motion passed 5-0.**

Default Case—Don Miller, Kelli Banks Weahunt, Lucilla Banks Pruitt: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman Key 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 offered information regarding the state of the structure on the property. **Member Hampton made a motion to enforce the fine of \$3,000.00 and order the razing and removal of the structure and rubbish. Mike Basiak seconded the motion. The motion was carried by a 4-0 vote.**

Default Case—Brian Barnett: Chairman Key called the default hearing to order and Maressa Travis read the case information. Chairman Key asked the board if they had any direct or indirect financial or personal interest in this matter. All members said no. Officer Fortner came forward and offered information on the violations on the property. **Member Kim Hampton made the motion to enforce the fine of \$700.00 and the order to become compliant. Sam Underwood seconded the motion. A vote was taken and the motion carried 5-0.**

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