

Code Enforcement Board Minutes October 13, 2015

The Murray Code Enforcement Board met in regular session on October 13, 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, Sam Underwood, and Kim Griffith.

Others Present: Captain Chris Scott, Officer Anna Wicker, Officer Brant Shutt, Officer Scott DeShields, Officer Crystal Nadeau, Sergeant Kendra Clere, Chief Jeff Liles, Attorney Chip Adams, Maressa Travis, Mandy McReynolds, Amy Spain, Andrew Bramley, Wanda Geurin, Cameron Miller, Teresa Feldhaus, Attorney Michael Pittman, Rudy Tripp, Mark Harpole and general audience.

The meeting was called to order by Member Mitzi Key. Member Mike Lovins made the motion to vote Mitzi Key as acting chairman in Chairman Danny Brittain's absence. Member Sam Underwood seconded and a roll call vote was taken. The motion passed 3-0.

Approval of September 1, 2015 minutes: Sam Underwood made the motion to approve the minutes of the September 1, 2015 meeting and Mike Lovins seconded. A voice vote was taken and the motion carried.

Public Hearing—Mark Harpole: 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 City Representative to come forward. Officer Anna Wicker came forward and was sworn in. The Board had no questions for Officer Wicker. Chairman called forth the Respondent, Mark Harpole, and he was sworn in. Mr. Harpole stated he purchased a city sticker for his vehicle but failed to transfer to a newer vehicle but he has since purchased a veteran plate so his vehicle is compliant. **Kim Griffith made the motion to dismiss the fine and penalty and Sam Underwood seconded. A vote was taken and the motion carried 1-0.**

Public Hearing—Andrew Bramley: Chairman 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 City Representation to come forward. Sergeant Kendra Clere came forward and was sworn in. Sgt. Clere read from an affidavit swearing prepared by Sgt. John Cooper. Chairman called Respondent, Andrew Bramley, forward and he was sworn in. He stated he did not know he needed a city sticker on his vehicle but the vehicle broke down and it was left over the summer while he was out of town playing baseball. Because the vehicle was unrepairable, he had the vehicle scrapped. He provided the scrap receipt for the vehicle. Chairman Key asked Respondent if he has purchased city stickers in the past and he replied he had. **Sam Underwood made a motion to dismiss the fine and penalty and Kim Griffith seconded. A vote was taken and the motion carried 3-1 with Mitzi Key voting no.**

Public Hearing—Roman or Madra Clay: Chairman called the public hearing to order and Secretary 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 City Representation to come forward. Officer Scott DeShields came forward and was sworn in. Officer DeShields indicated he wrote the city sticker violation in

question. Chairman called Respondent forward and because he did not appear despite proper service, the case was called a default and the fine and penalty stood.

Public Hearing—Teresa Feldhaus: 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 City Representative to come forward. Captain Chris Scott came forward and was sworn in. He stated he was with Officer Kenny Jenkins at Kenlake Foods when Officer Jenkins issued the city sticker violation to Teresa Feldhaus. There were no questions from the board. Respondent Feldhaus came forward and was sworn in. She indicated the vehicle she purchased the city sticker for is a vehicle her former husband now is driving and she received the violation on a vehicle he had been previously driving and she now has possession of that car. Board members asked counsel for specifics regarding the transfer of the city sticker from one vehicle to the other. Respondent indicated she had additional information to present and the hearing was halted at this time.

Public Hearing—Cameron Miller: Chairman Mitzi Key called the public hearing to order and Secretary 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 City Representative to come forward and Officer Brant Shutt came forward and was sworn in. The board had no questions for Officer Shutt. Respondent Cameron Miller came forward and was sworn in. Mr. Miller stated he has a sticker on his company truck but he drove his personal vehicle to work, which he seldom drives to work. **Sam Underwood made the motion to dismiss the fine and penalty and Mike Lovins seconded. A vote was taken and the motion passed 3-0 with Kim Griffith voting no.**

Public Hearing—Amy Spain: 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 called the City Representative, Brant Shutt, forward and he remained under oath. There were no questions for Officer Shutt. Chairman called Amy Spain, Respondent, forward and she was sworn in. She indicated she borrowed her father's car for the day while her car was in the shop for brake repair. She provided receipts for her car repair. Member Kim Griffith made a motion to dismiss the fine and penalty and Sam Underwood seconded. **A vote was taken and the motion carried 4-0.**

Public Hearing—Teresa Feldhaus: Public Hearing was resumed. Attorney Adams reviewed the court order and advised the board that Ms. Feldhaus was in possession of the vehicle at the time the violation was issued. She indicated she simply forgot to purchase a sticker for this vehicle. **Mike Lovins made the motion to dismiss the fine and penalty. Sam Underwood seconded and a vote was taken. The motion passed with a vote of 3-1 with Kim Griffith voting no.**

Public Hearing—Troy or Wanda Guerin: 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 called the city Representative, Crystal Nadeau, forward and she was sworn in. There were no questions for Officer Nadeau. Chairman called Wanda Guerin forward and she was sworn in. Respondent stated her husband drove her car to work but it does not have a sticker because she is on disability and doesn't require one. The board questioned Mrs. Guerin regarding her husband's vehicle having a city sticker. **Sam Underwood made a motion to dismiss the fine and penalty and Mike Lovins seconded. A vote**

was taken and the motion carried 3-0 with Member Griffith voting no.

Public Hearing—Ira Rudy Tripp, Jr.: Chairman called the public 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 answered no. Chairman asked Captain Scott to come forward. He was still sworn in. Board members questioned Captain Scott regarding him going onto the Post Office property to issue violations. Chairman called Respondent, Ira Tripp, forward. He was accompanied by Attorney Michael Pittman. Mr. Pittman provided copies of ordinance definitions to the board. Attorney reviewed Mr. Tripp’s daily routine of driving for the Postal Service. Attorney Adams advised the board on the rules of government workers being required to purchase city stickers. Attorney Adams presented the motion for the board to present, that is Respondent will be required to purchase a city sticker with a conditional discharge of the \$100 fine, provided the sticker is purchased within 30 days. **The motion was then made by Kim Griffith and seconded by Sam Underwood. A vote was taken and the motion carried 4-0.**

Default Hearing—Tammy Cavitt: Chairman called the default hearing to order and Secretary Travis read the case information. Chairman asked the board if anyone had any direct or indirect financial or personal interest in this matter. All members stated they did not. **Because it is a default hearing the request for an order to raze was passed.**

Default Hearing—Sandra Villatoro: Chairman called the default hearing to order and Secretary Travis read the case information. Chairman asked the board if anyone had any direct or indirect financial or personal interest in this matter. All members stated they did not. **Because it is a default hearing the request for an order to mow was passed.**

Because there were no questions or comments, Sam Underwood made a motion to adjourn and Kim Griffith seconded.



Chairman, Danny Brittain



Recording Secretary, Maressa Travis