

Code Enforcement Board Minutes
April 4, 2017

The Murray Code Enforcement Board met in regular session on April 4, 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, Mike Basiak, Mitzi Key, Deana Wright and Gayle Balentine and Marsha Dorgan.

Others Present: Attorney Chip Adams, Sergeant Brant Shutt, Officer Tim Fortner, Maressa Travis, and general audience.

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

Approval of January 3, 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 January 3, 2017 meeting and all approved.

Public Hearing—Dan and Jennifer Van Waes: Respondents were not present at the start of the meeting so they were moved to the end of the agenda.

Attorney Chip Adams approached the board and asked for the board to amend the agenda to revisit a previously decided case, the City of Murray vs. Robert or Stephen Farmer, 17-CEB---00001. A motion was made by Mitzi Key and seconded by Mike Basiak and the motion carried after a voice vote of 5-0.

Default Hearing—John or Sasha Wallace: Chairman Brittain called the default hearing to order and Secretary Travis read the case information. Chairman declared this a default judgement and John or Sasha Wallace was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Andrew Collins: Chairman called the default hearing to order and Secretary Travis read the case information. Chairman declared this a default judgement and Andrew Collins was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Linda Tolmi: Chairman called the default hearing to order and Secretary Travis read the case information. . Chairman declared this a default judgement and Linda Tolmi was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Bob Nanney Used Cars: Chairman called the default hearing to order and Secretary Travis read the case information. . Chairman declared this a default judgement and Bob Nanney Used Cars was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Regina Davison: Chairman called the default hearing to order and Secretary Travis read the case information. . Chairman declared this a default judgement and Regina Davison was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Jessica Ward: Chairman called the default hearing to order and Secretary Travis read the case information. . Chairman declared this a default judgement and Jessica Ward was ordered to become compliant and pay a total of \$250 within 30 days.

Default Hearing—Jennifer Hardin: Chairman called the default hearing to order and Secretary Travis read the case information. . Chairman declared this a default judgement and Jessica Ward was ordered to become compliant and pay a total of \$250 within 30 days.

At this time, the public hearing regarding Dan and Jennifer Van Waes was reopened.

Public Hearing—Dan and Jennifer Van Waes: Chairman Brittain called the hearing to order and Secretary Travis read the case information. Sergeant Brant Shutt came forward and was sworn in. Sgt. Shutt read a document from Maurice Thomas, Planning Coordinator for the City of Murray, regarding PECO Products operating or conducting business within the city limits. Sgt. Shutt answered questions regarding the notification to Mr. Van Waes and whether or not the business needed the business license. Member Marsha Dorgan made a motion to order the respondent Dan and Jennifer Van Waes to purchase a business license for \$150 and pay the late fee of \$150 within 30 days. Chairman recognized Secretary Travis to testify regarding the cost of the business license. Secretary stated she spoke with the licensing department to confirm the cost of the license. Because Dan and Jennifer Van Waes have not requested a license, they have not declared the annual income of PECO Products so the cost of the license is unknown at this time. Member Dorgan changed her motion to order the determined cost of the license plus the late fee within 30 days. Member Gayle Balentine seconded the motion. A vote was taken and the motion carried 5-0.

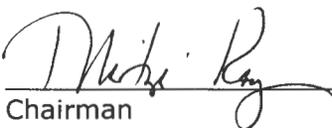
Attorney Adams noted for the record that the Respondents Dan and Jennifer Van Waes did receive proper notification and they were not in attendance at the meeting after the board waiting 25 minutes.

Chairman Brittain recognized Attorney Adams to come forward, who stated to the board that there is new information regarding the Farmer case, 17-CEB-00001. Robert Farmer is deceased and Stephen Farmer is of limited capabilities. City legal assistant Jim Osborne posted the notice at the property. Mr. Robert Green, uncle of Stephen Farmer contacted attorney Adams and asked for an extension of 30 days so he could take care of the violations.

Member Dorgan made a motion to vacate the order in the case. Attorney Adams read a motion he had prepared in anticipation for the board's decision in which the board would dismiss the order without prejudice. Member Key seconded and a vote was taken. The motion was carried with a vote of 5-0. Attorney Adams had Chairman Brittain sign a prepared document to vacate the order.

Secretary announced the next meeting would be May 2, 2017.

There were no questions or comments. A motion to adjourn was made by Mitzi Key and seconded by Gayle Balentine.


Chairman


Recording Secretary, Maressa Travis