

Code Enforcement Board Minutes February 6, 2018

The Murray Code Enforcement Board met in regular session on February 6, 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, Mitzi Key, Mike Basiak, and Pete Lancaster.

Others Present: Acting Secretary Julie Browning, Attorney Chip Adams, Officer Tim Fortner, Marti Erwin, legal assistant, and Maurice Thomas, Planning Community Coordinator for the City of Murray.

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

Approval of January 2, 2018 minutes: A motion was made by Member Mitzi Key to approve the minutes of the last meeting and member Mike Basiak seconded. A voice vote was taken to approve the minutes of the January 2, 2018 meeting and all approved.

Public Hearing—M&M Contractors—This case was appealed and Officer Tim Fortner confirmed there was no one from M&M Contractors present. Officer Fortner came forward and was sworn in. Officer Fortner stated he issued a notice of violation for no business license to M&M Pressure Washing and the violation was appealed. Officer Fortner stated he saw on social media, in the capacity as ABC Administrator, that M&M Delivery was delivering alcohol. He stated he checked with Maurice Thomas and M&M Delivery did not have a business license to operate in the City of Murray. He then issued a Notice of Violation (25102) to Murray Delivery. A citation was also issued and M&M Delivery appealed. The appeal letter stated the business license was issued under M&M Contracting but there was no business license issued to any business named M&M Delivery or Contracting. **Member Mike Basiak made a motion to uphold the fine of \$100.00 and Member Pete Lancaster seconded the motion. A vote was taken and all members voted yes. The motion carried 4-0.**

Attorney Chip Adams suggested he take over from Secretary Browning and the case information was given to Mr. Adams.

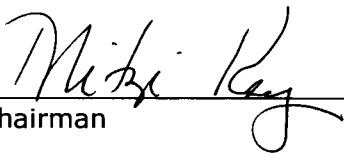
Public Hearing—Midwest Nursery Sales/Tony Nolcox—Mr. Adams read the case information for this case. Officer Fortner came forward and stated he issued a Notice of Violation (#7867) to Midwest Nursery Sales and Tony Nolcox for the property at 701 Sycamore, due to a vehicle on the property inoperable and/or in disrepair, as well as trash and rubbish around the property. The due date of the violation was December 31, 2017 and the property was still not compliant when the citation was issued on January 8, 2018. Officer Fortner stated the property had been cleaned up but the vehicle had just been moved to the back of the property. Officer Fortner stated he went by the property on the date of the hearing (February 6, 2018) and took photos. The photos indicate that the car has been removed but the property again had rubbish in the yard. Officer Fortner stated the citation was compliant because the vehicle was gone. Member Mitzi Key asked for clarification as to the rubbish now in the yard and Officer Fortner stated yes, the rubbish was there now but it was not when he wrote the citation. **Member Basiak stated compliance is the goal and made a motion to dismiss the fine. Member Pete Lancaster seconded and vote was taken. The motion carried 4-0 to dismiss.**

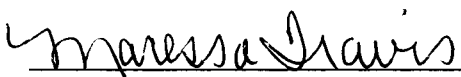
Default Hearing—Larry and Susanne Doyle—Attorney Adams stated because the respondent failed to appeal, this is a default judgement in the amount of \$700.00.

Attorney Adams stated the next meeting will be March 6, 2018. There will be no meeting in April and the May meeting will be held on May 1, 2018.

There were no further questions or comments. Member Basiak made a motion to adjourn and Member Key seconded. A voice vote was taken and all members said Aye.

Meeting was adjourned.


Chairman


Recording Secretary, Maressa Travis