



**CODE ENFORCEMENT BOARD MEETING**  
**Minutes of August 14, 2014**

The Code Enforcement meeting was called to order by Linda Vogelpohl at 7:00 p.m., followed by roll call and the pledge of allegiance.

Present: Linda Vogelpohl, Chair      Rebecca Kirchhoff  
          Betty Dammert

Absent: John Schneller                  Marc Barone

Also Present: Karen Barto, City Clerk/Treasurer

**APPROVAL OF MINUTES: July 10 Special Meeting**

**MOTION:** Betty Dammert made a motion to approve the minutes of July 10, 2014 Special Meeting, seconded by Rebecca Kirchhoff. All in favor, the motion passed 3-0-0.

**OLD BUSINESS: Discuss Code Enforcement Board Responsibilities.**

Karen Barto said each member has a copy of the City Ordinance creating this Board. That has the responsibilities of the Board along with much more information.

Karen addressed the fact that the ordinance states this Board will meet quarterly. She explained how she makes a meeting schedule that each Committee should follow. Karen said just because the meeting is scheduled, if there is no business, it's a good idea to cancel. Each Committee should have at least two meetings per year. The first meeting would be election of officers and get acquainted and then one more to stay in touch. If there is business to be conducted, a special meeting can be scheduled.

Karen explained a little bit of KRS. KRS statues for Code Enforcement are 65.8801 thru 8809. If you have any questions, this will guide you. Karen explained a quorum of this board would be three out of five. She also went over removing oneself from the board if you have a personal interest in the case before the board.

Linda Vogelpohl questioned taping the meetings. There was discussion about that. The Clerk's office can tape the meetings as well as the secretary taking minutes.

Linda also asked if this Board could get a list of activity from the Code Enforcement Officer.

Karen said the only time this board should get any information from the City is when there is a citation that has been issued. Based on that, it would be bad for the Enforcement Officer to attend the meetings because it could influence the board.

Linda said they asked for a report from the Code Enforcement Officer that didn't have any names or addresses on it. So Karen questioned why they needed that info.

Linda responded she felt it was her responsibility to make sure the ordinances are followed.

Karen Barto said Linda's interpretation was wrong. This Board is not involved until a citation is issued.

Linda said she requested at the last meeting to have Council mention one ordinance a meeting so the audience would become familiar with our ordinances. Karen Barto said issues like high weeds, illegal signs and banners, etc. should never come to this board.

Rebecca Kirchhoff said there are issues in the City that aren't being addressed to which Karen said the Code Enforcement Officer, Scott Davenport answers to Mike Ward. Karen went on to explain that Scott works 20 hours a week. The City doesn't feel we need a full time Code Enforcement Officer. He mostly acts on complaints. When a complaint does come in, we have to follow due process which takes time.

Karen reiterated that this Board is kind of the judge and jury. They make a judgment call on an issue that comes before them and they rule based on the facts presented to them at the hearing.

Linda Vogelpohl wanted to make sure that if she sees a problem, she can call it in which she can. She would have to recues herself if that situation came before them. Most of the time, it would be resolved before having to come before this Board. Linda said the only reason she wants that report is to see that other citizens are making complaints. Other than that, there is no reason why this Board should have that report. Karen said Linda as a citizen, could request that report.

Karen explained that we either get a call which is given to Carol or someone comes in and we call Carol up to speak to them. She then logs it into CDI which is the police tracking. Linda thought this is the report she would get. This Board should only receive a report that states there were 3 calls about garbage cans, 5 calls on high grass, etc. That is not the business of this Board. Karen explained that issues take time to be resolved.

Linda Vogelpohl said she recalls Mike Duncan stating they had to be careful in regard to receiving a follow up in case the same person came in front of this Board again with the same violation. Only if the situation is completely resolved could this Board get a follow up.

Karen Barto said the City has the right to negotiate the fines after they have been imposed by this Board, Linda Vogelpohl said she would like to know if the City does negotiate the fines, time line, etc. And if that's possible, how would she be contacted. Karen will find out if they have that right or not and how it would work.

There was more discussion about Scott Davenport, the Code Enforcement Officer, and to whom he answers. Karen said he was hired as the Code Enforcement Officer for 20 hours a week with the understanding that because he is an officer, and if the police department has an emergency or the need to cover for someone else he can do that.

Karen also explained the Code Enforcement Board enforces the Zoning Regulations as well as the Code of Ordinances which are the laws that Council passes. Council also passes the Zoning Regs., which are rules of Planning and Zoning.

Linda Vogelpohl asked if she came to the city council meeting with a complaint, is that a conflict of interest. Linda would like to raise awareness to Council about Main Street, for instance. Karen didn't feel it was a conflict, but Linda would have to recluse herself if the matter came before the Code Enforcement Board. A phone call to Carol would be more appropriate.

Linda asked the Board if there were any other questions they had for Karen or to ask Mike Duncan?

Betty Dammert would like to have a list of Ordinances put in with the tax bills to make residents aware of certain ordinances in the City. Linda Vogelpohl would like to see something also stated about Deed Restrictions and the difference between them and our Ordinances. The restrictions of a subdivision would be in your deed.

Karen explained that KRS is the law. If KRS says an issue is regulated by local ordinance, then we can make our own rules on that. Karen went on to say if there was something specific the Board needed to know, and she wasn't sure, she would refer to Mike Duncan.

The Board talked about putting a couple of Ordinances on our website.

Linda asked if the Code Enforcement Board voted to put something in the tax bill regarding ordinances, whose responsibility would it be to follow through with that, to which Karen responded it was the Chair's responsibility to call the City Building and follow up. However, this Board can't direct the City Clerk's office to do something like that. They could call and talk to Karen about their idea.

Karen also said the Chairperson should send a conclusion of the meeting to the Mayor and Code Enforcement Officer after a meeting where fines have been set, for instance.

Linda realizes they should have the first meeting of the year to elect officers and meet any new members, and then only meet when there is a need. Linda feels she didn't understand the role of the Board when she first came on.

Bottom line, this Board needs to clarify what their role is. Karen will check to see if they can report a violation. Linda feels if she makes a complaint, she can't tell the Board so she doesn't taint their opinion.

Karen reiterated that this Board needs to remember that they are the judge and jury. They are not on the Board to clean up the City, only cases that have been cited and no action has been taken by the property owner.

**NEW BUSINESS:**


Linda asked if there are scheduled meetings to which Karen responded yes. She makes up a schedule and emails it to the Chairs of each Committee and Board at the beginning of each year.


Karen said Linda can send her a sheet with a few ordinances that she would like to get out to the public and she could see about getting something put in with the taxes.

**ADJOURNMENT:**

**MOTION:** Betty Dammert made a motion to adjourn, seconded by Rebecca Kirchhoff. All in favor, the motion passed 3-0-0.

Attested to and submitted by:

  
\_\_\_\_\_  
Karen Barto, City Clerk/Treasurer  
  
\_\_\_\_\_  
Date 2/12/15

  
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Linda Vogelpohl, Chairperson  
Marc Barone, Board Member  
  
\_\_\_\_\_  
Date 2/12/15