

Minutes: City Council Special Meeting
March 20, 2014
5:30 PM

The Elkton City Council met in special session on Thursday, March 20, 2014 with Mayor Nancy T. Camp presiding. This meeting was held as a joint special meeting with the Code Enforcement Board.

City Council members present: David Powell; David Haley; Eugene Jefferson; Jimmy Scott; Doug Gibson; and, Danny Laster.

Others present: City Clerk/Treasurer Laura Brock; Jeff Traughber, City Attorney; Terry Frogue, Utility/Street Superintendent and Citation Officer; Jason Petrie, legal counsel for Code Enforcement Board; Debbie Moore, Assistant City Clerk and secretary for Code Enforcement Board; Code Enforcement Board members Matt Nittler, Tammy Sharp, Jo Glover, Stefanie Sharp, and Jean Odum.

Mayor Camp called the meeting to order at 5:30 PM and reminded everyone only items on the agenda may be discussed.

AGENDA

1. Observe Code Enforcement Board Special Meeting
2. Follow Code Enforcement Board Special Meeting Agenda Attached for Discussion

Matt Nittler, Code Enforcement Board Chair, called the meeting of the Code Enforcement Board to order, called roll and presented the cases and business of the Board.

Upon conclusion of the business meeting, Jason Petire gave a presentation to update everyone on the powers and duties of the Code Enforcement Board. He presented the state statutes (KRS 65.8801-65.8839) which allow cities to create a Code Enforcement Board. He explained the city created the Board in 2003 and once the Board is created, it operates on their own as directed by city ordinance. It gives the city an option to correct violations of city ordinances rather than going through a costly and time consuming court case. He explained the powers of the Board set forth in KRS 65.8821 and explained that once the Board imposes civil fines, it is up to the city to enforce those fines. He stated that if a hearing is requested, the Board has discretion to impose the minimum fine, maximum fine, anything in between, and even probate the entire fine if the violation is corrected. Currently, the city enforces those fines by filing liens on the property.

Terry Frogue presented a brief history of the Code Enforcement Board, showing pictures of past violations that have been corrected by the process. Also, he presented a description of the process he follows, including sending courtesy letters, notice of violation and then citations. These notices give property owners plenty of time to correct violations, inform them of the city's ordinances, and their right to contest a citation before the Board. He presented pictures of current issues in the city and stated there needs to be some discussion on how far the city wants to enforce the ordinances and property maintenance code. The current nuisance ordinance allows the city to enter the property to correct the violation. Mr. Traughber stated that as long as the final order gave notice that the city will enter the property if not corrected, then the city is authorized to do so without a warrant. Frogue requested everyone think about

Upon completion of the presentations and some discussion, there were no other items on the agenda, therefore Mr. Laster motioned to adjourn and seconded by Mr. Jefferson. Motion carried unanimously and meeting adjourned at approximately 6:40 PM.

Nancy T. Camp, Mayor

Laura M. Brock, City Clerk/Treasurer