



CODE ENFORCEMENT BOARD SPECIAL MEETING  
Minutes of January 9, 2025

The Code Enforcement meeting was called to order by Acting Chairperson, Brett Faulkner at 7:12 p.m., followed by the Pledge of Allegiance.

Present: Stephanie McDole Josh Essner Brett Faulkner

Absent: Linda Vogelpohl

Also Present: Andy Schabell, Mayor David Plummer, City  
Administrator

Phillip Liles, Code Enforcement Officer Stephanie Tarter, City Clerk  
Mike Duncan, City Attorney for Board  
Greg Voss, Attorney for Code Enforcement Officer

**APPROVAL OF MINUTES – December 12, 2024**

**MOTION:** Josh Essner made a motion to approve the minutes of December 12, 2024, seconded by Stephanie McDole. All in favor, the motion passed 3-0-0.

**NEW BUSINESS**

**Election of Officers:**

**MOTION:** Brett Faulkner made a motion to postpone the Election of Officers, Seconded by Josh Essner. All in favor, the motion passed 3-0-0.

**OLD BUSINESS**

**Code Citation #1220C-2024 Appeals Hearing Continued:** Brett Faulkner gave an overview of the previous meeting, it was agreed that a violation did happen, the fine was reduced from \$18,000 to \$9,000.

Mike Duncan swore in, Phil Liles, and Bud Gilbert as witnesses for the hearing.

Phil Liles gave an overview of what has taken place since the recess of the previous meeting. He met with Bub Gilbert, and he provided a copy of what is expected from the city (see attached). He then shared his Code Order Recommendations for Charles Gilbert with the board (see attached). Mr. Liles pointed out there was a discussion as to what is defined as "objectionable material".

Bill Wilson representing Mr. Gilbert introduced himself and he argued that the board seems to struggle between the letter of the law and the spirit of the law. He believes the fine should be reduced to \$0.00 if Mr. Gilbert comes into compliance in the spirit of the law.

Ms. McDole asked how many times Mr. Liles and Bud Gilbert interacted regarding the state of the lot. They interacted maybe 4 or 5 times since February 2024.

Mr. Faulkner stated there seems to still be no clarity as to what is acceptable, but Mr. Gilbert stated he completely understands what Mr. Liles is expecting of him.

Mr. Voss addressed the board regarding the fine and gave some examples of other cities. He argued that if there are no teeth and no fines issued, then things tend to not get resolved. He recommended the board adopt the recommendations from Phil Liles to reduce the fine to \$4,500.00 if there is compliance.

Mr. Wilson argued the goal is compliance and not the fine. He believes that if he complies by April 30<sup>th</sup> then the fine should go away.

Mr. Faulkner explained, while he does not want to cripple a business, this will have been ongoing for 14 months once the scheduled inspection for May 1, 2025, is complete. He does believe that the fine should stay at \$9,000 with no compliance or \$4,500 if there is compliance.

Ms. McDole wondered if there should be a regular cadence so that they are not in the same position at the May 2025 meeting. They would like to see monthly meetings and discussions between Mr. Liles and Mr. Gilbert. The board also recommended lowering the fine to \$3,000 if there is compliance.

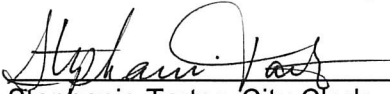
**MOTION:** Brett Faulkner made a motion to accept the recommendations proposed by Mr. Liles with two alterations of monthly meetings between Mr. Liles and Mr. Gilbert, and the fine be reduced to \$3,000 if there is compliance, seconded by Josh Essner. All in favor, the motion passed 3-0-0.

Mr. Liles will write up the recommendations, Mr. Faulkner will sign, and Mr. Voss asked that Mr. Gilbert sign as well.

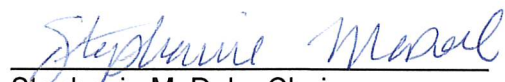
**ADJOURNMENT:**

**MOTION:** Brett Faulkner made a motion to adjourn, seconded by Stephanie McDole. All in favor, the motion passed 3-0-0.

Attested to and submitted by:

  
Stephanie Tarter, City Clerk

3/13/2025  
Date

  
Stephanie McDole, Chairperson

3/13/2025  
Date