

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, JANUARY 8, 2018 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY WITH MAYOR MATT MATTHEW MATTONE PRESIDING  
COUNCILMEMBERS PRESENT: KATHY ZEMBRODT, PAMELA SPOOR, JASON RESER, GREG CLAYPOLE, STEVE ELKINS AND KARL OBERJOHN  
ALSO PRESENT: CITY ATTORNEY, TODD MCMURTRY AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

I. Resolution No. 1, 2018 appointing Jeffrey Hagedorn to Sergeant was read by Mayor Mattone. Motion to accept Resolution was made by Ms. Spoor; second by Mr. Elkins. Roll call: all ayes

II. A Proclamation recognizing the 2017 Notre Dame Academy Soccer Team as the 35<sup>th</sup> District Champions, the 9<sup>th</sup> Region Champions and the KHSAA State Tournament Runner Ups was read by Attorney McMurtry. Congratulations!

Motion to approve the December 11, 2017 minutes was made by Mr. Oberjohn; second by Ms. Spoor. Roll call: all ayes

III. Petitioners - None

IV. Emergency Reading; Ordinance No. 1, 2018 regarding handicapped parking, was read in summary by Attorney McMurtry. Ms. Zembrodt asked where the \$100 fee originated from. Mr. McMurtry stated it was from a sample Ordinance but Council may assess any fee they wish. Mayor Mattone stated the cost to install a sign is around \$60-\$75 plus labor. Ms. Spoor asked if the fee could be lowered to \$50 as individuals needing the parking space already have other expenses to deal with. She also asked that under Section 1 (B) 6 be removed requiring a written statement from a physician as the applicant would already have this in order to receive their handicapped parking tag. Motion to amend Ordinance by striking (B) 6 and lowering the application fee to \$75 was made by Ms. Zembrodt; second by Mr. Elkins. Roll call: all ayes  
Roll call to adopt Ordinance as amended; all ayes

V. First Reading; Ordinance No. 2, 2018 addressing Mayor and Council vacancies was read by Attorney McMurtry. Ms. Spoor stated she had some questions regarding the Ordinance. Mayor Mattone asked that all questions regarding the Ordinance be addressed at the next Caucus meeting. Mr. McMurtry asked Council to email him questions before the next meeting. Mr. Elkins asked if there is an actual application as mentioned in the Ordinance. Mr. McMurtry stated he could have an application attached for second reading.

VI. Municipal Order No. 1, 2018 appointing Jason Reser as representative to the PDS and Karl Oberjohn as alternate representative was read by Attorney McMurtry. Motion to accept Resolution was made by Ms. Spoor; second by Mr. Elkins. Roll call: all ayes

VII. Department Reports

A. Police Department – Chief Cody Stanley

Chief Stanley passed out his report at the meeting. He stated there was no training during the month of December. Lieutenant Webster is investigating two burglaries on Amsterdam Road and is attempting to develop a suspect.

Additionally; Lieutenant Webster recovered a stolen vehicle from Cincinnati on St. Joseph Lane and shortly after that call, another vehicle was stolen from Dixie Highway when the driver left the vehicle running unattended. That vehicle was recovered in Cincinnati after it crashed. With the assistance of Lieutenant Webster using video from his in-car dash-cam and the St. Joseph Lane camera, a suspect was identified and Cincinnati Police have filed charges against that person. It is believed this suspect was involved in both vehicle thefts.

Two traffic surveys were conducted on Hamilton Road and that information has been downloaded to OpenGov.

The department completed their Christmas package pickups that were featured on the local news twice.

The fallen tree on Old State Road was addressed and the owner has arranged to have it completely removed on January 20<sup>th</sup>.

Sgt. Jack Prater retired effectively December 31, 2017. Using a promotion board that consisted of four area police chiefs, Officer Jeffrey Hagedorn was the unanimous choice to be the next Park Hills Police Sergeant.

The departments 2017 stats have also been downloaded to OpenGov.

The department conducted 14,014 calls for service in 2017.

Ms. Spoor thanked the Chief and the officer on duty to their prompt attention regarding the fallen tree on Old State Road.

Mr. Claypole stated he received very positive feedback for the package pickups the department did. He asked if the news stories could be added to the website. Mr. McMurtry did not see a problem with having it added. Mayor Mattone suggested adding a link to the story on the police department site.

Chief Stanley asked what he is able to spend out of his reserve fund. Ms. Zembrodt stated the department currently has \$4,544 in their reserve and savings from last fiscal year should just about double that. She suggested some of the money be used for equipment purchases which seem to be higher this year.

B. Fire Department – Chief John S. Rigney

Chief Rigney's monthly report included the following:

- A total of 37 calls for service were received during the month of December. The incidents are broken down by type on the activity report Council received.

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- Crews assisted Covington F.D. with a multi-alarm fire in sub-freezing weather on New Year's Eve
- Additional training is scheduled at the old Park Hills school building prior to demolition in late January.

Chief Rigney stated he will send an update to OpenGov. The yearly activity report shows 425 incidents. There was \$152,000 in property loss due to fire. A total of 514 man hours were spent on alarms. Volunteers put in 987 hours of training at no cost to the city.

Mr. Claypole believes many residents don't realize all the things the fire department does; including helping residents with smoke and carbon monoxide detectors. He asked Chief Rigney to explain how dangerous carbon monoxide can be. Chief Stanley replied it is extremely dangerous especially for people with gas furnaces and those who keep their cars in attached garages. He recommends changing carbon monoxide detectors every 5-7 years and smoke alarms every 10 years. He added; many detectors made now have replacement dates on them.

Mayor Mattone asked if it would be possible to have a volunteer come to a meeting to give a safety update. Chief Rigney stated the department's facebook page has a lot of safety information. The Mayor asked if this could also be added to the city's website. Mr. Oberjohn thanked the Chief for uploading information to OpenGov.

### C. Public Works – Dan VonHandorf

Due to being out late because of the bad weather, Mr. VonHandorf was not present at the meeting.

### D. City Engineer – Jay Bayer

#### **Projects in Construction Phase**

##### **Aberdeen Reconstruction Project**

Michels has completed SD1's punchlist. Michels has issued an invoice to the City for retainage.

##### **1208 Audubon Road Storm Sewer Project**

Eaton Asphalt has completed SD1's punchlist items and submitted a final invoice for the work. Bayer Becker will review the invoice and make a recommendation to the City. At a minimum, 5% retainage should be held until the restoration can be evaluated in the spring.

##### **Old State Road Sidewalk**

A formal punchlist has been issued to Len Riegler. 5% Retainage is being held until punchlist items have been addressed and restoration has been approved.

#### **Projects in Design Phase**

##### **North Arlington Road Improvement Project**

Bayer Becker has received design plans for the gas main from Duke Energy. Tentatively, the project is scheduled to be bid for approval at the February council meeting.

##### **Jackson Road Improvement Project**

SD1 has approved the 50/50 match for storm sewer infrastructure. The city has had initial discussions with affected property owners about proposed storm sewer easements.

#### **Private Projects in the City**

**Land Division for 1081 Altavia Avenue**

An application was made to PDS for the division of property at 1081 Altavia into 2 lots. Mr. Bayer added that a Duke representative would be available to attend an upcoming Infrastructure Committee meeting to discuss the city's streetlights.

**E. Treasurer's Report – Julie Alig**

Ms. Alig stated money paid to Len Riegler for the Old Stated sidewalk project was taken out of the road fund and put into the Municipal Road sidewalk line. A new report page was printed to reflect this change as part of the financial report.

Ms. Zembrodt asked that the money generated from the leaf pickup be transferred from the Public Works' reserve fund into the general fund. She stated this is similar to the Bromley contract money for the police department which also goes into the general fund. Mayor Mattone suggested putting off the vote for the financials until the Financial Oversight Committee has time to look them over. Perhaps, have a Special Meeting ahead of the next Caucus Meeting to approve the financials.

Ms. Zembrodt made a motion to move the 50% of savings from each department last fiscal year into their respective reserve funds. Ms. Alig provided Ms. Zembrodt with the savings' amounts. Administration: \$284.00; Public Works: \$1,840.60; Police Department: \$4,392.00; Fire Department: \$3,728.50; second by Ms. Spoor.

Ms. Spoor explained that an Ordinance governs these funds and specifies Council move the funds to the department reserves for capital purchases. It could also be used for the new radios that will be required for the police and fire departments.

Mr. Reser believed the Financial Oversight wanted to use the reserve monies to create a capital improvement budget. Ms. Zembrodt stated moving the savings to the Reserve funds is by Ordinance. Mayor Mattone asked if Council should wait to vote on moving the funds until after the audit presentation. Ms. Alig stated she would contact the city's auditor tomorrow to find out when he will be available to give a presentation.

Ms. Zembrodt withdrew her motion to move the funds until after the audit is final.

Mr. Claypole thanked everyone who works on, and keeps an eye on, the financial reports.

Motion to pay the Road Fund invoice to Michels Construction in the amount of \$17,865.55 was made by Ms. Spoor; second by Mr. Claypole. Roll call: all ayes

**VIII. Delegation Discussions**

**1. Telecommunications Board of Northern KY – Richard Lange**

Mr. Lange stated there was not a quorum last month to hold a meeting. Mr. Lange did, however, have a few notes: The Board looked over the number of programming hours and equipment usage and found them to be consistent with the numbers from last year. Longtime employee, Josh Boedeker, will be leaving TBNK to take a job elsewhere. In November, the Kentucky High School Athletic Association decided to grant exclusive rights to a certain television production company so the TBNK was unable to tape any of the high school playoff games without being charged a fee.

**2. Code Enforcement Board – David Gray**



Mr. Gray stated there were no issues on the agenda last month, nor this month, regarding Park Hills. Mr. Gray stated he met with Mr. Kyle Winslow to talk about how to fashion citations as far as applying minimum fees. He added that Mr. Winslow will discuss with the Mayor but should ultimately be based on Mr. Gray's judgement. The Mayor asked Mr. Gray to get all the information together and present it at the next Caucus Meeting.

### 3. Audubon Forest/Berling Development

Mayor Mattone stated a meeting was held at the PDS on December 19<sup>th</sup>. He, along with representatives from the Army Corps of Engineers, Kentucky Heritage Council, representatives from Berling Development and the consultants which include the city (Mayor), the Theissen's and one Native American Tribe. They went through the process of what happens to mitigate the loss of the house on the property. They were told the consultant parties could work with the KY Heritage Council to come up with mitigation ideas for replacing the loss of the house. The Berling Delegation met on January 4<sup>th</sup> and went over some ideas. The consultants' recommendation will have to be approved by the applicant and the Heritage Council. They would then form a memorandum of understanding. Then it would be reviewed by the Army Corps of Engineers to see how this project affects the Blue Line Stream.

Ms. Spoor asked if anyone has implied a value to this mitigation. Mayor Mattone replied there has not. A future meeting with the consultants hosted by the Army Corps of Engineers should be scheduled before the end of the month.

Mr. Reser thought it may be a good idea to create some type of park with the portion of the land that will be given to the city so that it doesn't sit vacant. Discussion followed with ideas of how to use the city portion of the property.

4. There are no new updates in regards to the Gateway Development. Chief Rigney stated he received a phone call stating the school would be demolished this month. He was told the fire department would receive notice before this happens. Mr. Claypole would like to know also so that the surrounding residents can be notified. Mayor Mattone stated he would reach out to the project manager.

## IX. Committee Reports

### A. Tree Board

There was not a representative in attendance.

### B. Kenton County Planning Commission

Mr. Phil Ryan stated the Z21 meeting should be happening in the next week to look at everyone's appointment times. Elections were held on Thursday with the following results:

Chairperson – Paul Darpel

Vice-Chairperson – Diane Brown

Treasurer – Phil Ryan

### C. Financial Oversight Committee

Covered earlier in the meeting.

#### D. Infrastructure

Mr. Oberjohn stated it was recommended to follow up with Duke regarding the city's streetlights. Mr. Oberjohn stated he contacted Duke before Christmas and was provided useful data. He stated there are about 140 streetlights in the city and there is a PDF map document that shows where all the lights are located. There is an excel spreadsheet with a full listing of all the utility pole ID numbers and the type of fixtures. Where available, there are some wattage ratings and lamp technology ratings. There is also something called a shape file which can be used to work with Mr. Bayer's existing layouts and overlay them on our street projects. Mr. Oberjohn stated he could share the information at the next Infrastructure Meeting.

#### X. Old Business

##### A. Pension reform

Mayor Mattone stated that no legislation has been presented yet. The funding shortfalls have been kicked to the cities to fund. Park Hills' portion is around \$65,000. He stated the Kenton County Mayor's Group met Saturday along with members of the Northern KY Caucus and with some House Representatives and presented them with some of their concerns. They would like to see the payments stepped over time and that the Pension Board has a more fair representation from cities. Some Mayors are planning to go to Frankfort this week to make their voices heard.

Ms. Spoor asked if they asked about changing the statute that governs how the money is invested. He said the state is looking at a 401K, or 401C, plan where they self-fund and the cities match.

The Mayor encouraged everyone to reach out to their state legislators. Ms. Spoor suggested posting contact information on the website so that residents can contact legislators on this issue.

Mr. McMurtry stated there was another lawsuit filed on behalf of the citizens of Kentucky suing entities such as Black Rock, a large hedge fund investment advisory, as well as Kohlberg Kravis and Roberts. The suit alleges massive amounts of breach of fiduciary duty in that the pension funds took wild bets on 'black box' investments. He added; it is KLC's number one priority to separate the funds.

Mr. McMurtry stated the City of Ft. Wright voted to allocate \$20,000 to engage in public advocacy to encourage legislature to come up with a better solution than putting the rate increases on the cities.

Mr. Elkins asked if there was any more information regarding the UK grant. The Mayor stated he has not received any additional information as of yet.

Mr. Elkins also asked if there was anything new regarding the Duke rate increase. The Mayor replied there is an upcoming meeting where they will go to Frankfort to do a rate case. If there is an increase, it probably won't be for several months.

Ms. Spoor asked if there was any news regarding the other grant for the sidewalks. The Mayor stated he has not received any information on that either.

Mr. Claypole asked if the vehicle sticker could be added to the Caucus agenda for discussion to see if there is a better way to collect the fee. Discussion followed about a possible franchise fee on Duke customers or other ways to collect the money. Ms. Spoor asked Council to look over the existing vehicle tag Ordinance as it will need to be reformed in its entirety.

#### XI. New Business

##### A. Format of Department Reports

Mr. Oberjohn wanted to comment on the financial reporting. He stated; even though there is a Financial Committee, it is the responsibility of the full Council to make financial decisions. He thinks the current report can be difficult to read. Ms. Spoor encouraged Mr. Oberjohn to ask if he sees anything he believes is out of place. There was some Council discussion on how to have the future financial reports formatted to make them easier to understand.

Mr. Oberjohn asked if Council would consider approving all the department's reports as was done in the past and have each department head give a monthly budget report explaining their expenditures.

Mr. Reser wondered if we could put the financials on the screen for residents or have copies available at the meetings.

##### B. Creighton Fund documentation

Mr. Oberjohn asked to have this discussion added to the agenda. He understands the fund is a significant component of the fire department's budget with strict stipulations on its use.

Ms. Spoor stated the fire department is required to certify to the Trustee on an annual basis that they are still a volunteer fire department.

Chief Rigney stated the department is required to follow all stipulations of the trust. Expenditures from the fund are voted on by the fire department membership and may also go through City Council. Chief Rigney gave a brief history of how they acquired the trust from Ms. Ruth Creighton after her passing.

Ms. Spoor feels it is the duty of Council to monitor how the Trustee is investing the funds and should be reviewed periodically.

Mr. Oberjohn wants to be as informed as possible as a Council person supporting the fire department.


Mayor Mattone asked if there were any family members of Ms. Creighton that we could thank for her generous gift to the city. No one at the meeting was aware of any surviving family members.

Chief Rigney stated at least 51% of its members must be volunteers.

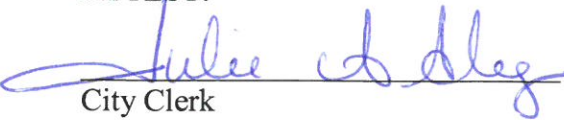
8:59 Motion to enter executive session pursuant to KRS 61.810 (1)(b) to discuss deliberation on the future acquisition of real property.

9:26 Motion to adjourn from Business Meeting

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Mayor, Matt Mattone

ATTEST:

  
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City Clerk