

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, SEPTEMBER 11, 2017 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. CITY ENGINEER, JAY BAYER ARRIVED AT 8:00 P.M.

Call to Order

Pledge of Allegiance

Roll Call

Motion to approve the August 14 and August 28, 2017 minutes was made by Mr. Claypole; second by Mr. Oberjohn. Roll call: all ayes

#### I. Petitioners

A. Ms. Hope Cavalieri, Old State Road, asked to address Council regarding the new home to be built off Coram. She stated that prior to tonight's meeting, there was a note on her door regarding an addition of a new road behind her house. She stated a friend of hers did some research at the Kenton County Clerk's Office. She wants to know who will bear the cost of the pavement, water lines, sewers, gas lines, etc. She is also worried about erosion during construction.

Ms. Zembrodt answered that most of these costs go to the builder with the homeowners usually responsible for utilities. Mayor Mattone added; Mr. Bovard, the potential builder of the home, approached the city a couple months ago asking them to vacate the right of way for a driveway. He stated, if this happened, it would no longer belong to the city but would be incorporated into the deeds of the surrounding properties. Ms. Cavalieri asked if there would be a vote to allow this. Mr. McMurtry stated nothing has been proposed to the city as of yet so it is a bit premature to discuss.

Mr. Kurt Bovard stated he is working with an attorney on the proper language for all parties involved. He asked anyone with questions please call him. He went on to say, on a slope of 20%, or greater, a geotech survey has to be conducted to make sure the project will have no negative effects. He also said the house will be built to code. Ms. Spoor added; the city Ordinance requires all projects on a slope of 20%, or greater, be inspected by the city engineer as well.

B. Mr. Lawrence Flick, Lawton Road, asked to address Council regarding an agenda item. He encouraged Council to not put out meaningless Resolutions that cost the city money and time.

II. First Reading; Ordinance No. 16; stop signs on Audubon was read by Attorney McMurtry. Ms. Spoor asked if the Ordinance could be amended to include the third stop sign that will be installed on Ward Court later in the development. Mr. McMurtry stated he could make the change for second reading.

III. Municipal Order No. 6, 2017; Welcoming and Inclusive Statement was read in full by Attorney McMurtry. Motion to adopt Order was made by Mr. Reser; second by Mr. Oberjohn. Discussion followed.

Mr. Elkins began by saying he wants to be open minded and added he has a special needs daughter with Down syndrome. He stated he treats everyone with respect and does not treat people as a group. He believes the city already treats others with respect no matter what group they feel they belong to or Council believes they belong to. He believes this Order may raise some unintended consequences. He added; this Order can be seen as redundant as there are already laws in place regarding this. He worries people may be afraid to voice their opinions and be labeled. He doesn't want this to create more divisiveness by pitting one group against another. He believes this may lend itself to affirmative action. He would like to have more input from residents and look at the legal aspect. Mr. Elkins made a motion to table the Order until more information is received. In order to have further discussion on Municipal Order No. 6, 2017, Mr. Elkins withdrew his motion to table and the discussion continued.

Ms. Spoor agrees with Mr. Elkins and believes it is our duty as human beings to treat everyone with dignity. She referenced Mr. Koenig who commented on the Order at a previous meeting by asking if the Order includes everyone and could it pit groups against each other. She stated she received several phone calls regarding this Order including a veteran and an overweight individual asking if they are included as a class. Ms. Spoor believes more discussion is needed on how this Order impacts people.

Ms. Zembrodt stated she agrees with everything in the Order and believes most in the city already live this way. She stated she also received calls from residents with their concerns. Ms. Zembrodt asked if we are already a city that treats others this way, why do we need something to tell us to behave that way. She sees it as a slap in the face to have an Order telling the city how to treat people as if they weren't already.

Mr. Claypole stated a couple people came to his home with questions and also believes more discussion is needed. He thinks the city has always been open to all walks of life already.

Mr. Reser stated he didn't receive any calls or visits even though he is the one who introduced the Order. He welcomes anyone with questions to contact him. He stated there have been some behaviors in the city that were not appropriate by public officials. He added; a postcard was sent out regarding a trail stating 'we don't need trails, this is not OTR'. He believes it was meant to keep trails from connecting Park Hills to Covington and Ludlow. He doesn't like that a young lady from the Church is afraid to come out of her house or that there are derogatory bumper stickers. He wants this to be clear this is all faiths, all religions, all types of people and there are some paragraphs in here that are open to any marginalized group. He stated the Order covers everyone and is not affirmative action. There is nothing stating we have to hire a specific person; it's about hiring the most qualified person. He appreciates all the time and thought people are putting into this.

Mr. Oberjohn looks at the Order as a type of mission statement some corporations have that everyone sees when they walk through the company's doors. It talks about what the company strives to do and what their values are. You don't have to have a mission

statement and it doesn't have any legal authority but it serves as a guidepost to remind you what your values are and to hold you accountable for their words. He believes the WHEREAS clauses are still open to some debate. He believes what triggered this is the divided opinion on the new Church. He welcomes the Church and parishioners and knows there have been some hurt feelings about how some things have evolved. There was a discussion at a previous Caucus meeting where the Church planned to put in a Grotto. He believes this may have led to some divisiveness among residents. He believes this Order is an opportunity for city leaders to provide clarity and to take a positive stand. He also doesn't think this is a significant cost to the city.

Mayor Mattone stated he had the good fortune to speak with Reverend Smith, a resident from Park Hills and the co-chair, or chair, of the Covington Human Rights Commission. Mayor Mattone believes this Order is an ask from the community to talk about our differences and what we want to stand for and project. He believes this needs more public discussion. Reverend Smith directed the Mayor to some people at the KY Commission on Human Rights. He spoke to John C. Fischer, a field supervisor and one of their members who goes out to communities to educate and can facilitate these discussions. The Mayor recommended forming a committee to look at what forming a local Human Rights Commission could do for Park Hills. Mr. Fischer stated he was willing to discuss.

Ms. Spoor stated she doesn't like the negative inference that Park Hills is hostile towards Covington and Ludlow. She does not believe this to be true. She added; she believes Park Hills has an exceptional track record of inclusiveness and welcoming. During his lecture, Mr. Tenkotte mentioned that unlike its neighboring cities, Park Hills has no evidence in its deeds of restrictive language.

With respects to the young lady from the Church, she was accused of having an offensive bumper sticker on her car. Ms. Spoor stated this was not the case and took a picture of the sticker and sent it to Council. She did not receive any replies. The Mayor ordered an investigation and hopefully Chief Stanley will be able to update Council when he gets back from his training.

Mr. Elkins made a motion to table a vote on Municipal Order No. 6, 2017 pending further review; second by Ms. Zembrodt. Roll call: all ayes

Mayor Mattone asked Mr. Elkins if he would like to serve as a representative on a Human Resource Committee and hopes to establish a committee by the next Caucus meeting.

#### IV. Department Reports

##### A. Police Department – Chief Cody Stanley

Detective Webster was in attendance in the Chief's absence.

Chief Stanley's monthly report included the following:

The department had 664 house and business checks and 1,144 calls for Park Hills and Bromley. They also helped with backup to Ludlow and Ft. Wright and assisted with a shooting in Covington.

Lieutenant Webster and Chief Stanley attended Governor Blevins presentation concerning Narcan at the Boone County Sheriff's Office. They received two additional supplies of Narcan that will be used by the officers.

Covington Catholic High School hosted their first night football game. There were no major traffic issues and due to the ongoing construction at the school, parking was over flowing onto some of the side streets. The school is paving another parking section on their property which should help alleviate the parking issues on the city streets.

Traffic survey results:

There were three surveys on St. Joseph Lane:

August 16-20	Total vehicles	5347	Avg. speed	20.19	Max speed	51
August 21-24	"	"	5005	"	"	41
August 24-26	"	"	6512	"	"	41

The speed limit for St. Joseph is 25 mph and the average speed was less than that.

The survey indicates that there is not a speeding problem on St. Joseph.

\*note: We believe that the high number of vehicles is due to cars periodically pulling over and stopping for traffic in the study zone thus causing the instrument to count that same car more than once. The manufacturer confirmed that this could be a possibility.

Two studies were done on Arlington Road:

August 28-31	Total vehicles	2762	Avg. speed	15.58	Max speed	50
September 3-6	"	"	2265	"	"	34

The posted speed limit is 20 and the average speed is less than that.

The survey indicates that there is not a speeding problem on Arlington.

Two studies were done on Cleveland Avenue:

August 23-30*	Avg. ingoing speed	19.24	Avg. outgoing speed	19.97	
August 30-Sept. 6	"	"	17.64	"	17.96

The posted speed limit is 20 and the average speed is less than that.

The survey indicates that there is not a speeding problem on Cleveland.

Note: \* August 23<sup>rd</sup> readings are from Amsterdam Road and this caused the averages to be higher for the rest of the week.

The speed sign has been placed on Cecelia Avenue for a speed survey.

Discussion turned to speeding on Montague and other streets in the city.

Mr. Oberjohn stated he does not believe the matter has been settled and that the histogram of all recorded driving speeds would be more telling than the average speed of all the drivers. He also expressed concern about the maximum recorded speed of 50 mph on North Arlington Road.

Detective Webster stated they have been working on the security camera problem with its IT specialists.

#### B. Fire Department – Chief John Scott Rigney

Chief Rigney's monthly report included the following:

- A total of 30 calls for service were received during the month of August. The incidents are broken down by type on the activity report Council received.
- The monthly meeting of the Kenton County Fire Chief's Association was hosted at the Gardens of Park Hills by the PHFD
- Crews conducted joint EMS training with Ft. Wright and Ludlow F.D.'s on the use of Epinephrine. After all personnel are trained, kits will be installed on all FD vehicles with the next month.

- Engine 601 rear discharge valve was rebuilt and repaired in house, resulting in a cost savings for parts only.
- Hydrant testing to be done this week

There was discussion on what fire department information to post to online sites such as the city's website and OpenGov. Mayor Mattone would like to discuss this more before publishing certain material.

Ms. Zembrodt asked if CPR classes were available through the FD. Chief Rigney stated he will try to find a good time and place to offer these classes to the public.

Ms. Spoor commended the Chief on his good job with his budget.

C. Public Works Department – Dan VonHandorf

- Mr. VonHandorf thanked everyone for another month. The price of leaf pickup is \$35 for a single pickup and \$70 for multiple pickups.
- He stated the Old State sidewalk project is moving along.
- The Audubon storm sewer project is running 3 weeks behind but they still hope to have it finished by the original completion date.
- Mr. Berling moved the Dozer and cut back weeds at his project location.
- The park board approved the sidewalk from Breckenridge to Devou and was turned over to the legal department
- The sidewalk connecting Park Hills to the new Devou clubhouse was done in June
- The man working on trees is out of town to help the hurricane victims and will continue work on the annex upon his return

D. City Engineer – Jay Bayer

**Projects in Construction Phase**

**Aberdeen Reconstruction Project**

Bayer Becker has provided a recommendation for payment to Paul Michels Construction. A 5% retainer is being held until the SD1 Punchlist items are completed. Bayer Becker has completed the Storm Sewer As-Built Drawings and provided them to SD1.

**1208 Audubon Road Storm Sewer Project**

Eaton Asphalt attended the latest Infrastructure Committee meeting to discuss the Audubon Storm Sewer Project. Due to weather delays, they have pushed their start date back to the end of September.

**Old State Road Sidewalk**

Len Riegler Blacktop Company has started construction. They have completed approximately 50% of the work. The contractor is on schedule with the work to be completed.

**Projects in Design Phase**

**North Arlington Road Improvement Project**

Duke Energy is designing the relocation of their gas main with this project. Bayer Becker has received comments from NKWD on the water main plans and is working on



addressing them. Upon completion of the gas main and water main design, the project can be bid for construction.

**Jackson Road Improvement Project**

Bayer Becker has submitted for a 50/50 match for storm sewer infrastructure to SD1 which is scheduled to be acted on by the SD1 board in September. Exhibits have been provided to the city to obtain required storm sewer easements.

**Private Projects in the City**

**Audubon Forest Project**

3/2/17 Contractors moved equipment on site

3/6/17 Clearing of trees began. Clearing is expected to last several

3/23/17 City was notified that the burning would begin on 3/27/17

**E. Finance Department**

Motion to accept the August financial reports was made by Ms. Zembrod; second by Ms. Spoor.

Motion to pay the Road Fund invoices in the amount of \$76,464.41 was made by Ms. Zembrod; second by Ms. Spoor.

Mr. Oberjohn stated the Infrastructure Committee met with Michels Construction. He stated it was a good meeting and knows Michels has done a lot of projects for Park Hills. They discussed solutions going forward. They will look at contract language and have regular updates. After discussion, Mr. Oberjohn agreed to the final payment (less 5% retainer) to Michels for the Aberdeen project.

Roll call: all ayes

**V. Delegation Discussions**

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

Mr. Lange stated the board received the 180 page needs/assessment report. He read a portion of the report that Mayor Mattone contributed from December 13, 2016.

The Mayor participated in a group interview and provided the following needs and interests:

- The city has received requests from residents to be able to do searches based on text and the on demand local programming of information
- He would like to see the city and staff take more advantage of resources offered by TBNK and appreciates the TBNK staff who work efficiently and do not impede meetings.
- He feels government access is the lifeblood and link to the residents who want information.
- At the time, the meetings were taking place in a rented school space so there was no live feed available. He would like to have the ability to do meetings live and Cincinnati Bell has assured the city they can provide the live feed.
- There is a need for new ways to reach out to the community; perhaps the ability for residents to interact live and provide instant input.

- As the convergence of voice, video and data continue, the Mayor indicated there may be a new role that TBNK could fulfill by providing data storage and management as well as content.
  - Some of the interest for local programming include having TBNK produce more public affairs and local history programs as well as public service announcements. Perhaps a public service announcement regarding the benefits of placing conduits in the right of way during street construction projects.
- The next meeting will be held on Wednesday, September 20<sup>th</sup>.

B. Code Enforcement Board – David Gray  
Mr. Gray stated there was nothing to report

#### VI. Committee Reports

##### A. Infrastructure Committee

Mr. Oberjohn stated much of the meetings' discussions was covered under the engineer's report. He reported to Council the city engineer's findings on a potential sidewalk on St. Joseph Lane. It would be cheaper to put the sidewalk on the side closest to Notre Dame

Academy. The grant application deadline is October 2<sup>nd</sup>. The grant would have an 80/20 match. The cost for the sidewalk would be around \$195,000; after the grant, about \$39,000.

Mr. Oberjohn stated there was some confusion on Old State Road regarding parking during the Old State sidewalk installation. The committee is working on a solution to this problem.

He continued that the extensive drainage solutions for lower Jackson would cost approximately \$425,000 before the 50/50 SD1 match. After the grant/match, approximately \$212,000.

To do both the drainage and road surfacing, the cost would be around \$1 million; after grant/match, around \$800,000.

The cost to do the drainage and road surfacing for upper and lower Jackson combined would be \$1.8 million before the SD1 50/50 match; after grant, \$1.5 million

Mr. Oberjohn believes the benefits of these improvements will not be felt by the residents until upper Jackson is addressed. He states they are meeting resistance by residents on upper Jackson to do the project. He would like the Financial Oversight Committee discuss the financial portion of the project and advise.

Mr. Elkins asked if there were any plans to put a sidewalk at the bottom of Arlington from Hamilton Road to Trolley Park. The Mayor suggested discussing this at the next Infrastructure meeting.

##### B. Communications Committee

Mr. Oberjohn thanked everyone who helped with the newsletter. He hopes to have it printed and sent out this week.

##### C. Historic Preservation Committee

Ms. Spoor stated the lecture given by Paul Tenkotte last Thursday was very enjoyable and attended by 127 people. Mr. Bob Amodt videotaped the lecture and posted it on Nextdoor. It will soon be posted to the city's Facebook and website. Two more lectures are scheduled. Ms. Spoor reminded everyone to please bring in any old photos of the city to be scanned by February 1<sup>st</sup>. She added; Mr. Tenkotte plans to do interviews with some of the city's older residents.

#### VI. Old Business

##### A. Gateway property update

Nothing new to report

Mr. Claypole would like surrounding residents to be notified when the buildings are to come down.

##### B. Berling update

SD1 and Mr. Tony Berling received the inspection reports. They were emailed out to the Berling Delegates and the Mayor would like to decide where to post them online.

The Smiles and Miles run/walk will be held Sunday, September 17<sup>th</sup> in remembrance of Maria Schaffstein. Detective Webster stated they will do their best to keep the roads open and traffic moving.

Mr. McMurtry stated the city is up to speed on its blight properties and with liens filed can do maintenance on properties. Mr. VonHandorf reminded everyone the neighbor of 1331 Amsterdam Road has mowed the lawn at that location four times as he has a house for sale next to it.

Ms. Zembrodt asked about the maintenance of Covington roads that access only Park Hills' residents. Mr. McMurtry stated Ft. Wright has come upon the same issue; he will look into and advise.

Discussion turned to the NKADD sidewalk study. For \$4,000, the NKADD would map and assess all the city sidewalks. Mr. McMurtry believes it is important to have a plan that identifies the problems and how the problems will be repaired over time.

Mayor Mattone went over a letter given to Council prior to the meeting from the University of KY. The University is applying for a grant that could possibly help students come to Park Hills to update the tree inventory of the city. The last inventory was done in 1995. They ask that Park Hills send a letter of support.

#### VII. New Business

A. The Mayor's Group meeting is scheduled for this Saturday, September 16<sup>th</sup> at 9:00 a.m. at the Edgewood Senior Citizen's Center.

##### B. Permit requirements for commercial solicitation

Mayor Mattone asked Mr. McMurtry to look at the city's solicitation policy/Ordinance. Mr. McMurtry provided a copy of Ft. Wright's Ordinance for Council to look over. His



three options are either make no changes, provide exclusions to the permit requirements or limit the breadth of the application requirements. He asked Council to email their thoughts to him.

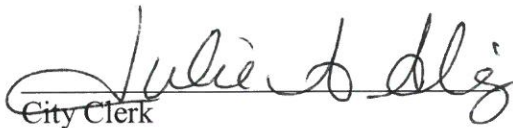
A resident of Rosemont Avenue asked to have a small tractor pull for his daughter's birthday party. It was suggested he call dispatch before beginning and have an officer sent to their location to watch for any traffic issues.

9:24 Motion to adjourn from Business Meeting made by Mr. Elkins



Mayor, Matt Mattone

ATTEST:

  
City Clerk