

THE PARK HILLS CITY COUNCIL HELD A SPECIAL & CAUCUS MEETING ON MONDAY, JUNE 26, 2017 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY, PARK HILLS, WITH MAYOR MATT MATTONE PRESIDING. COUNCILMEMBERS PRESENT: GREG CLAYPOLE, PAMELA SPOOR, KATHY ZEMBRODT, STEVE ELKINS AND JASON RESER  
ABSENT: KARL OBERJOHN  
ALSO PRESENT: CITY ATTORNEY, TODD MCMURTRY

PUBLIC HEARING:

Municipal Road Aid Expenditures

There were no oral or written comments regarding the Municipal Road Aid expenditures

SPECIAL MEETING:

Call to Order

Pledge of Allegiance

Roll Call

I. Second Reading; Ordinance No. 9, 2017; proposed 2017-2018 fiscal year budget was read in summary by Attorney McMurtry. Mr. McMurtry relayed the changes from first reading to Council. Motion to adopt was made by Mr. Reser; second by Mr. Elkins. Discussion followed. Ms. Spoor was concerned about the last minute changes to the proposed budget made by the Mayor. Mayor Mattone stated the general fund had a line in Contracts for legal expenses. He added the words 'Professional Services' to the line stating some of the attorney's work is what a personal administrator would do. He added, he put the \$4,000 into public works from the contract line because Mr. VonHandorf is responsible for work, repair and maintenance in the park.

Ms. Zembrodt stated there was already \$2,000 in public works for labor but that any repairs, purchases or maintenance should come out of contracts. The Mayor believes Mr. VonHandorf should be able to approve the purchases for the park. Ms. Zembrodt believes purchases should be approved by Council. She added, Mr. Dave Baker looked over the proposed budget and believed it to be a sound budget ready for approval.

Ms. Spoor is more concerned about the attorney line change stating it could be interpreted as a back door way to obtain a city manager. Ms. Spoor added she doesn't believe the city can afford an administrator right now and once one is put in place, it would be hard to terminate. Attorney McMurtry stated a City Administrator position would still need to be created by Ordinance and approved by Council. Mayor Mattone believes the city could cut some city fees with the aid of an administrator. Ms. Spoor stated there were Council meetings and Financial Oversight meetings which concluded the city isn't able to afford this position.

Mr. Reser stated Mr. Baker looked over the budget and said it looked good but that he didn't have enough time to become too familiar with it. Mr. Reser added the city consistently overspends on attorney fees and that the budget numbers are very close. He would like to look for ways to save money as he believes the city may not be in the green in about 23 months.

Mr. McMurtry agreed that lawsuits come up and can't be avoided. He reminded Council that the city did recover a rather large sum from a past lawsuit.

Mr. Claypole asked if Council could take a vote on the budget Ordinance as it was read prior to the Mayor's two changes. Mr. McMurtry stated a secondary motion is needed to amend to not include these items. If motion fails, the primary motion goes back in effect. Mr. Elkins asked if these changes were debated during past Financial Oversight meetings and why they were made just prior to tonight's meeting.

Mayor Mattone stated he was looking at the legal expenses and believes the city will need a consultant to help with the upcoming Gateway project.

Ms. Spoor made a secondary motion to amend the Ordinance the attorney read tonight and remove the two changes made by the Mayor. Remove 'Professional Services' from the legal work expense line and take the \$4,000 back out of public works and put back into contracts; second by Ms. Zembrodt. Roll call: Ms. Spoor; aye, Ms. Zembrodt; aye, Mr. Reser; nay, Mr. Claypole; aye, Mr. Elkins; aye Motion carried.

Motion to adopt the budget Ordinance as amended was made by Ms. Spoor; second by Ms. Zembrodt. Roll call: Ms. Spoor; aye, Ms. Zembrodt; aye, Mr. Reser; nay, Mr. Claypole; aye, Mr. Elkins; aye Motion carried.

II. Second Reading; Ordinance No. 10, 2017; amended 2016-2017 budget was read in summary by Attorney McMurtry. Motion to adopt Ordinance was made by Ms. Zembrodt; second by Mr. Claypole. Roll call: all ayes

III. Second Reading; Ordinance No. 11, 2017 regarding vicious dogs was read in summary by Attorney McMurtry. Mr. Reser sent some additional verbiage to the attorney regarding this Ordinance. He would like to make it difficult for convicted felons to be able to own vicious animals. Mr. McMurtry stated the original Ordinance could be passed this evening and the proposed changes could be made at the next meeting. Ms. Spoor also liked Mr. Reser's addition. Motion to adopt Ordinance was made by Mr. Reser; second by Mr. Claypole. Ms. Spoor asked that if an animal is acting in defense of its owner, that it not be cast as a vicious animal. Mr. McMurtry replied that this was already included in the Ordinance. Roll call: all ayes

IV. First Reading; Ordinance No. 12, 2017; text amendment to allow windscreens within the Institutional Zone was read in summary by Attorney McMurtry.

V. First Reading; Ordinance No. 13, 2017 setting the 2017 tax rates was read in summary by Attorney McMurtry.

VI. Emergency Reading; Ordinance No. 15, 2017 amending the city's Nuisance Code was read in summary by Attorney McMurtry.

Mr. Kyle Winslow, also with Hemmer, DeFrank and Wessels, went over the amendments made to the Nuisance Code. The changes focus on the hearing board, enforcement, nuisance properties and tree issues. The police department will be able to give citations in addition to the PDS. He added, it also allows for the citing of tree issues. Ms. Spoor asked if this allows the city to address trees threatening the power lines that Duke may not be responsible for, or will not address. Mr. Winslow replied it would if there is an argument that the tree threatens a person. He added, though, most cities do not get

involved in private matters. Mayor Mattone added information would be added to the city's website about how to contact Duke if you see a tree that you believe is threatening power lines. Ms. Spoor would like to see all residents protected against threatening trees; private or public areas. Mr. McMurtry stated this could get very expensive and time consuming. Even though the city can do this, most do not. He added, he could amend the Ordinance to read 'any person in the right of way' that could be hurt by a falling tree; but there is a limit on what the city can do. Ms. Spoor asked what the most expedite route would be for a private citizen with a tree issue. Mr. Winslow replied the PDS cites from the International Property Maintenance Code and may not regulate trees the way the city wants. The property would have to be cited under the city's Nuisance Ordinance. Mr. Winslow recommended going ahead with the emergency reading of the Ordinance and adding amendments at the next meeting. Motion to adopt Ordinance was made by Ms. Spoor; second by Mr. Reser.

Mr. Winslow gave the following update regarding nuisance properties:

1. 1010 Amsterdam Road: This property also has overgrown grass, weeds, etc. The Bank purchased the property in May. The Bank, however, has not provided a deed to the Master Commissioner. To that end, they are not the record property owners yet. Nevertheless, PDS advised me that they can still cite them under the vacant property ordinance. The city can also cite them as "conspirators to violate the nuisance ordinance" under its nuisance ordinance.

Recommendation: PDS is going to cite under the vacant property ordinance. I recommend that the Police Department work with our office to cite the Bank under the nuisance ordinance.

2. 1028 Amsterdam Road: This property also has overgrown grass, weeds, etc. It is also in foreclosure. PDS advised me that a lien is expected to be recorded against the property this week.

Recommendation: We will intervene in the foreclosure action once the lien is recorded.

3. 1331 Amsterdam Road: This property has overgrown grass, weeds, etc. The Bank purchased the property at a foreclosure sale last week. PDS advised me that the Bank retained a property preservation company to cut the grass this week. I'm not sure if the grass has been cut.

Recommendation: If this property is still a problem, I recommend that the Police Department work with our office to cite the Bank under the nuisance ordinance.

4. 1064 Emerson: PDS recorded liens against the property.

Recommendation: The City can foreclose on the property.

5. 1090 Emerson Road: There is apparently a dead tree on this property. The property is set for a foreclosure sale on July 25, 2015. Dan VonHandorf advised me that he does not believe the tree poses an imminent danger to the public.

Recommendation: I recommended that we wait until the foreclosure sale to get involved. After the sale, we can go after the new owners and recover our costs. If we intervene now, we will not be able to recover our costs.

6. 901 Terrace: PDS recorded liens against the property.

Recommendation: The City can foreclose on the property.

Ms. Spoor thanked Mr. Winslow for his time and added that she liked the amendments made to the Nuisance Code. Mr. McMurtry added that he, along with Mr. David Gray and Chief Stanley should be able to give monthly reports regarding nuisance properties. Roll call: all ayes

VII. Resolution No. 3, 2017 authorizing the Mayor to execute temporary construction easement for storm sewer and permanent easement for storm sewer was read in summary by Attorney McMurtry. Motion to accept Resolution was made by Mr. Reser; second by Mr. Elkins. Roll call: all ayes

VIII. Resolution No. 4, 2017 appointing Ricky Grigson as full time police officer was read by Attorney McMurtry. Motion to accept Resolution was made by Ms. Spoor; second by Mr. Claypole. Roll call: all ayes Welcome Ricky!

Motion to adjourn from Special Meeting was made by Ms. Spoor; second by Ms. Zembrodt

#### CAUCUS MEETING

##### Call to Order

I. Ms. Emi Randall, PDS, gave handouts to the Mayor and Council showing the new PDS fees and services (attached at the end of the minutes)

Ms. Spoor suggested a joint Financial Oversight and Economic Development meeting to discuss. Mayor Mattone stated we can keep our current plan and amend the agreement with any changes.

II. Mr. Brian Lawson did not speak as his questions were answered earlier

##### III. Old Business

###### A. Tree Discussion

Mr. VonHandorf relayed to Council that Duke subcontractors are not allowed to climb trees that are dead and other, more expensive measures, will have to be taken.

Mr. Mike Conway, Tree Board Chairperson, gave a Tree Board presentation. He began by thanking the Mayor and Council for taking action with the amended Nuisance Code Ordinance passed this evening. He would like the Tree Board's main agenda to be re-canopying the city and be proactive with other tree issues. He agrees that dead trees within the city need to be taken care of and hopes the homeowners will be responsible for their tree issues. The Tree Board will issue a public service announcement to educate residents regarding tree concerns. Mayor Mattone asked if PDS has conducted a tree survey. Ms. Randall replied the data may be several years old; she will look into. The Mayor stated he would like to have a public forum for more discussion.

###### B. Sidewalk safety

Mr. VonHandorf stated he received four estimates for the connector sidewalk from Park Drive to Devou Park. He recommended the city go with John Kirby. Ms. Zembrodt met

with Mr. VonHandorf at the site and said she is fine with the sidewalk but does not see a need for the extra 20' to the end of Audubon as it will be torn up during the Audubon Road improvements. She asked about the tree near the existing sidewalk and if it would have to be removed. Mr. VonHandorf replied the new sidewalk will actually help the tree as it will be installed further away giving the tree roots room to grow. Ms. Zembrodt asked that the sidewalk expense be taken out of the Municipal Road Aid fund. Ms. Spoor asked if an approximately 3' section of sidewalk could be installed from Devou Park to Breckinridge for pedestrians. Mr. Reser agreed with the idea. Mayor Mattone asked that the Infrastructure Committee come up with a sidewalk plan. Mr. VonHandorf stated the Old State sidewalk project will begin on July 24<sup>th</sup> and take approximately 6-8 weeks to complete. Letters will be sent to affected residents.

#### C. Berling Delegation update

Ms. Zembrodt stated she spoke with Mr. Berling and said work will begin after July 4<sup>th</sup>. Work has been delayed due to weather issues. Notice will be given prior to work beginning.

#### D. Devou Clubhouse update

Mayor Mattone stated he spoke with Mayor Meyer of Covington regarding some existing connector issues. They plan to meet next week. The clubhouse is scheduled to have its first event on July 8<sup>th</sup>. Mayor Mattone added the residents he spoke with were happy with the water solution on Park Drive designed by Bayer Becker.

Ms. Spoor asked whether or not the area near Miller's Pond would be cleaned up. Mayor Mattone believes core samples have been taken so that, after construction, silt can be caught before it goes into the pond. Covington may share the cost.

#### E. Heroin door to door drive with Judge Knochelman

Mayor Mattone encouraged residents to volunteer for the drive on Saturday, July 8<sup>th</sup> beginning at 9:00 a.m. Volunteers will meet at CCH and will canvass the city in 3 groups consisting of 10-15 people. Informational hangers regarding heroin, and where to go for help, will be distributed to Park Hills' residents. As of now, 10-15 more volunteers are needed.

Ms. Spoor stated the Finance Committee asked the Mayor to provide a letter to Mr. VonHandorf asking him to not use his personal equipment for city business. She states this is for the protection of Mr. VonHandorf.

#### IV. New Business

Mr. Reser asked to speak about a Welcoming and Inclusiveness Ordinance he would like to see implemented by the city. He wants Park Hills to be welcoming to everyone in the city. He stated Covington has a commission to help write a diversity statement. He stated Covington is focused on hiring issues but wants Park Hills main issue to be reaching out to welcome new residents to the city. He added that he believes Park Hills has had some spotty history with past officials and would like to see the city move forward.

Ms. Spoor stated she would like to see this information added to the website and likes the idea of Park Hills having an affirmative statement. She added; she would like the city to hire the best person for a job no matter their background, color, sex, etc.




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Mayor Mattone relayed that the first Park Hills Police Department festival was a success! He would like this to be an annual event hosted by the Civic Association. He would also like to look into a city picnic to be held in September. The Civic Association is hosting a dance at the end of September.

Ms. Spoor let everyone know that the Historic Preservation Committee will hold two lectures. One in September and another in October. She will give the dates as they become available.

Mr. Reser reminded everyone about the public forum sponsored by the Economic Development and Parks and Beautification Committees. The forum will take place at St. Joseph Heights on July 19<sup>th</sup> from 7-9 p.m. The focus of this forum will be the area at lower Amsterdam Road. Mayor Mattone would like to have a representative from Covington there as this is the area where Park Hills and Covington meet.

9:30 Motion to adjourn from Caucus Meeting

  
Mayor, Matt Mattone

ATTEST:

  
City Clerk

# **One Stop Shop 2.0**

**New Services and  
Fee Schedule**

**June 26, 2017**



# **One Stop Shop Overview**

**Services program for local governments**

**Began in 2004 With 7 Jurisdictions  
Services Offered**

- Building codes administration
- Zoning code administration
- International Property Maintenance Code administration
- Board of Adjustment support



## **One Stop Shop Overview** (continued)

### **A lot has changed**

- Number of Jurisdictions - 17
- Variety of Services Needed
- Code Enforcement Legislation
- PDS' data tracking

# Original Service Levels

## Level 1 (0%)

- Building permits and inspections
- Zoning permits
- Board of adjustment support
- Zoning enforcement within 4 days

## Current Communities

- Elsmere
- Fort Wright
- Ryland Heights
- Walton

## Original Service Levels (continued)

### Level 2 (25%)

- Building permits and inspections (0%)
- Zoning permits
- Board of adjustment support
- Zoning enforcement within 3 days
- International Property Maintenance Code enforcement

### Current Communities

- |                    |               |
|--------------------|---------------|
| • Crescent Springs | • Kenton Vale |
| • Crestview Hills  | • Ludlow      |
| • Fort Mitchell    | • Park Hills  |
| • Independence     | • Taylor Mill |
| • Kenton County    | • Villa Hills |

## **Original Service Levels (continued)**

### **Level 3 (50%)**

- Building permits and inspections (0%)
- Zoning permits
- Board of adjustment administration
- Code enforcement board administration
- Zoning enforcement within 2 days
- International Property Maintenance Code enforcement

### **Current Communities**

- Edgewood
- Lakeside Park

## Original Service Levels (continued)

### Level 4 (75%)

- Building permits and inspections (0%)
- Zoning permits
- Board of adjustment administration
- Code Enforcement Board administration
- Zoning enforcement within 1 day
- International Property Maintenance Code enforcement
- "Other"

### Current Communities

- None

## **Goals for Re-Evaluation**

**Allow for customization of services rather than "package"**

**Expand service options for current communities**

**Have all jurisdictions pay same % for same service**

**Encourage participation in more efficient joint boards**

**Keep costs for cities relatively constant**



# Proposed New Fee Schedule

Board of Adjustment Services		Cost
<b>1</b>	Zoning Ordinance administration with Kenton County Joint Board of Adjustment	35% of PDS costs
<b>2</b>	Zoning Ordinance administration with local board of adjustment	50% of PDS costs

# Proposed New Fee Schedule

## Code Enforcement Services

3	Reactive codes administration and enforcement under the Kenton County Joint Code Enforcement Board	40% of PDS costs
4	Reactive codes administration and enforcement under a local code enforcement board	55% of PDS costs
5	Proactive codes administration and enforcement under the Kenton County Joint Code Enforcement Board	40% of PDS costs
6	Proactive codes administration and enforcement under the local code enforcement board	55% of PDS costs

NEW

NEW

## Proposed New Fee Schedule

### Code Enforcement Services

NEW

7

Rental Property Inspection Program administration  
55% of PDS costs

NEW

8

Abandoned property tax verification program  
administration  
55% of PDS costs

## Proposed New Fee Schedule

### Development Permitting Services

- |           |   |                 |
|-----------|---|-----------------|
| <b>9</b>  | Kentucky Building Code local and state jurisdiction with appeals to the Kenton County Building Code Appeals Board | 0% of PDS costs |
| <b>10</b> | Local Zoning Ordinance Administration   | 0% of PDS costs |

## Proposed New Fee Schedule

### GIS Support Services

**11** GIS support and analytics for One Stop Shop 0% of PDS  
participating jurisdictions costs

## Proposed New Fee Schedule

### Vacant Foreclosed Property Registry Services

**12**

Kenton County Vacant Foreclosed Property Registry  
program administration






0% of PDS  
costs



## Proposed New Fee Schedule Estimates by Service Type

	Fee Collected	PDS Cost	Current Billing	Proposed Billing
Zoning permits	\$ 123,497	\$ 153,703	\$ 39,541	\$ -
Building permits	\$ 713,425	\$ 965,323	\$ -	\$ -
Board of adjustment support	\$ 12,834	\$ 37,543	\$ 10,195	\$ 16,403
Code enforcement	\$ 22,850	\$ 190,591	\$ 48,457	\$ 82,260
GIS mapping	\$ -	\$ 23,378	\$ -	\$ -
	<b>\$ 872,606</b>	<b>\$ 1,370,538</b>	<b>\$ 98,193</b>	<b>\$ 98,663</b>

## Proposed New Fee Schedule Estimates for Level 1 Communities

Level 1 Service - No Cost to City	Current Billing	Proposed Billing
Covington 	\$ -	\$ -
Elsmere 	\$ -	\$ 3,052.63
Ft. Wright 	\$ -	\$ 3,132.09
Ryland Heights 	\$ -	\$ 522.43
Walton 	\$ -	\$ -



## Proposed New Fee Schedule Estimates for Level 2 Communities

Level 2 Service - 25% Cost to City		Current Billing	Proposed Billing
Crescent Springs	↓	\$ 4,215.55	\$ 3,732.22
Crestview Hills	↓	\$ 1,166.92	\$ 813.87
Fort Mitchell	↑	\$ 5,127.50	\$ 6,241.25
Independence	↓	\$ 27,723.80	\$ 22,152.20
KCFC	↑	\$ 17,958.31	\$ 18,487.46

## Proposed New Fee Schedule Estimates for Level 2 Communities

Level 2 Service - 25% Cost to City	Current Billing	Proposed Billing
Kenton Vale ↓	\$ 26.87	\$ 14.71
Ludlow ↑	\$ 8,174.68	\$ 14,301.58
Park Hills ↑	\$ 3,505.61	\$ 4,063.11
Taylor Mill =	\$ 7,512.93	\$ 7,504.79
Villa Hills ↑	\$ 4,800.55	\$ 5,270.53

## Proposed New Fee Schedule Estimates for Level 3 Communities

Level 3 Service - 50% Cost to City	Current Billing	Proposed Billing
Edgewood 	\$ 14,006.34	\$ 7,153.71
Lakeside Park 	\$ 3,974.13	\$ 2,220.09

## **Summary**

**Allows for customization of services rather than "package"**

**Expands service options for current communities**

**Has all jurisdictions paying same % for same service**

**Has jurisdictions contributing more fairly toward the program**