

THE PARK HILLS CITY COUNCIL HELD A SPECIAL AND CAUCUS MEETING ON MONDAY, JULY 24, 2017 AT 7:00 P.M. AT THE ST. JOSEPH HEIGHTS LOCATED AT 1601 DIXIE HIGHWAY WITH MAYOR MATT MATTONE PRESIDING. COUNCILMEMBERS PRESENT: KATHY ZEMBRODT, PAM SPOOR, JASON RESER, GREG CLAYPOLE AND KARL OBERJOHN
ABSENT: STEVE ELKINS
ALSO PRESENT WAS CITY ATTORNEY TODD MCMURTRY

Call to Order

Pledge of Allegiance

Roll Call

Special Meeting:

I. Award bid for Audubon Road Storm Sewer improvements

Due to Mr. Bayer running late, motion was made by Mr. Reser to adjourn from the Special Meeting until Mr. Bayer arrives; second by Mr. Claypole. Roll call: all ayes

Caucus Meeting:

I. Petitioners – None

II. Committee Reports

A. Economic Development/Parks, Beautification and Recreation – Jason Reser
The Economic Development and Parks, Beautification and Recreation Committees held a public forum called ‘Plan Park Hills’ on Wednesday, July 19th to get ideas on developing lower Amsterdam Road. Mr. Reser stated the forum was a great success with 76 in attendance. He thanked everyone involved including the Sisters of Notre Dame for the use of the facility. The meeting was led by Mr. Nemeroff and some others in attendance included Paul Zeltwanger and Bryan Bailin from Joshua One, Covington City Commissioner, Bill Wells and representatives from PDS and NKADD. Ms. Holmes asked if making Amsterdam Road a two way street was still being considered. Mr. Reser replied they didn’t get to that conversation yet and that it will be discussed further within the city’s committees. Ms. Spoor would like to work with Covington as the landslide area at the bottom of Amsterdam is in their city. Mr. Reser would like feedback from the meeting to plan for another forum to discuss the future of ‘Amsterdam Valley’. Notes and highlights of the meeting will be posted to the city’s website.

B. Communications Committee – Karl Oberjohn

Mr. Oberjohn stated now that the website has been updated and the summer newsletters sent out, the committee would like to embark on an exercise to revisit branding for the

city. Mr. Marty Boyer will spearhead this project with perspectives from the other committees.

III. Old Business

A. Berling update

Ms. Zembrodt spoke with Mr. Berling this morning. The house on Audubon has been demolished and, weather permitting, earth moving equipment will be brought in soon. Mayor Mattone asked if the city would receive a 48 hour notice before work begins. Ms. Spoor stated the notice is in the contract.

B. Gateway property update

Ms. Spoor and Ms. Zembrodt attended the Joshua One open house and spoke with Mr. Zeltwanger in regards to the development of the Gateway property. Mr. Zeltwanger stated the plans are still up in the air and a ways off. Ms. Spoor stated she was told the buildings currently on the property would be taken down late fall. Ms. Spoor would like to see access to the development off of Dixie Highway but cost may defer access to Amsterdam Road.

Mayor Mattone believes Mr. Zeltwanger knows the market and will build a development people will want to live in and, hopefully, be sensitive to traffic issues.

Ms. Spoor added that Mr. Zeltwanger hinted of an interest in the old Chase school property at the end of Mt. Allen Road for possible retail use. Access to that development off of Dixie Highway would involve Park Hills, Covington and possibly the county. Mayor Mattone has been in contact with Covington's Mayor, Joe Meyer, to discuss incentives for Joshua One to use Dixie Highway as access to the development. A TIF District was discussed.

Mr. Claypole added that Mr. Zeltwanger said he was open to working with a committee to discuss the development. Mr. Claypole suggested re-establishing the Gateway property committee.

Some of the lots for the development are referred to as Zero Lots. Mr. Bayer explained this meant instead of a 15' setback, they could be less. The Mayor added if they need a zone change to establish Zero Lots, the city would be made aware.

C. Dixie Highway Sidewalk update

The Mayor stated he spoke with the District 6 director last week. The planning phase will take place at the end of August into September. Representatives of the city will be invited to attend but are not able to assist. Mr. Bayer added the prior sidewalk installation was grant money to the city and did not involve federal funds. In that case, the city was able to make all the decisions, along with the property owners, regarding right-of-way negotiations.

Ms. Spoor asked the timeline of the project. Mr. Bayer replied we will be lucky if the sidewalk is under construction next year.

Mr. Claypole suggested having conduits put in so that street lights, matching the others on Dixie, can be added later.

Ms. Spoor asked if Mr. VonHandorf could address some of the potholes in the city, specifically a large one on Jackson Road. Mr. VonHandorf stated he would.

IV. New Business

Mayor Mattone began by saying an anonymous letter was sent to Chris Preston, PDS, and himself; the letter said it copied Council. The letter was in regards to a notice of violation sent by PDS addressed to Our Lady of Lourdes Church and a property on Coram Street. The property on Coram had dangerous trees while the Church had a pile of logs on the rear of its property.

(Copies of the anonymous letter, Mr. Preston's response and the notice of violation letters are attached to the back of the minutes)

The Mayor asked if having PDS send these letters is how the city wants to handle these violations dealing with private properties. Mr. McMurtry stated he would look into it. The Mayor went on to say the anonymous letters alleges the Mayor pressured PDS to ask that the trees be cut down and removed within three days. Mr. Preston responded that a letter of notification was sent to the Church giving them two weeks to comply and, if they didn't, a second notice would be sent before a citation would be issued.

Ms. Spoor stated this is the first she has heard of the anonymous letter as she did not receive a copy prior to the meeting. She was surprised to see it on the agenda as she believed the problem was taken care of. The Mayor stated he put it on the agenda to see what procedure the city wants to use in the future regarding trees.

Discussion turned to threatening trees. Ms. Spoor will send the city clerk the addresses of four properties that have trees threatening power lines. The clerk will contact Duke first to see if they are able to remove the trees, or part of the trees, in question.

Mayor Mattone informed everyone that Duke will be replacing meters so that workers will no longer need access to residents' homes. Notice will be given by Duke prior to the meter replacements.

Mr. Oberjohn asked if he should go through PDS with tree issues. The Mayor replied yes but that information can also be given online through the PDS website. Mr. Oberjohn would rather see PDS handle than the attorney. Mr. McMurtry stated he would just look into the process of how to handle tree issues.

Mr. VonHandorf stated Townsend and Lewis are the two companies during tree work for Duke in the city.

Mayor Mattone informed everyone that the new developers would make sure the 'island' near the Gateway entrance was maintained. Ms. Spoor just wants it made clear that property belongs to the city.

Mr. Oberjohn stated he was having issues with lines from Cincinnati Bell. Ms. Spoor will send Mr. Oberjohn her contact at Cincinnati Bell so that he can hopefully have the issue resolved.

Special and Caucus Meeting

July 24, 2017

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8:00 p.m. Motion to adjourn from the Caucus Meeting was made by Ms. Spoor; second by Mr. Claypole. Motion to resume the Special Meeting was made by Ms. Spoor; second by Ms. Zembrodt.

Mr. Bayer gave Mayor and Council a copy of the bid results for the Audubon Road storm sewer project. Paul Michels and Eaton Asphalt were the two bidders. Eaton Asphalt came in as low bid and was recommended by Mr. Bayer for the project. Motion to award the bid to Eaton Asphalt for \$184,993.00, plus \$2,500.00 for tree removal, was made by Mr. Oberjohn; second by Ms. Zembrodt. Roll call: all ayes Payment is to be made out of the Municipal Road Aid fund.

The project is sited to finish this year. SD1 will reimburse 50% of all storm sewer related costs.

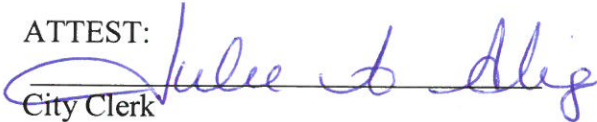
8:10 Motion to adjourn from Special Meeting was made by Mr. Reser; second by Ms. Zembrodt



Mayor, Matt Mattone

ATTEST:

City Clerk



July 9, 2017

*Chris Preston
Planning and Development Services
Kenton County*

Dear Sir:

Some of the citizens of Park Hills, Ky. Have learned that the Mayor of Park Hills, Matt Mattone has used his power of office to harass the Catholic Church of Our Lady of Lourdes to remove two dead trees which posed no threat to utility lines or neighbors in that area. One of the council persons was instrumental in establishing this Church. Mayor Mattone has been in conflict with that person.

We suspect that Mayor Mattone used his clout with you as he has been in conflict with several council members who have been a barrier to some of the projects which he desires for Park Hills, one of which are bike paths. Many citizens have come forward to express their opinion that bike paths are not a priority for this City of only 3,000 people. The Mayor states that it is necessary for PDS to respond to him. Yet, the Mayor has expressed little concern for other citizens and their concerns for dead trees effecting their properties.

This behavior of Mayor Mattone is unethical and an abuse of power on his part and we hope that you will not enter into an agreement with him and his retaliations. The fact that he has abused his power to retaliate against a Catholic church is, of course, discrimination. You might be warned that you are being used for Mayor Mattone's own issues.

Concerned Citizens of Park Hills

Cc: Mayor Mattone and Park Hills City Council Members

From: Chris Preston <cpreston@pdskc.org>
Date: July 21, 2017 at 2:20:19 PM EDT
To: Matt Mattone <mmattone@parkhillsky.net>
Cc: Emi Randall <erandall@pdskc.org>
Subject: Citizen letter

Good afternoon Mayor Mattone,

Attached is a PDF of the letter that was sent to 1101 Amsterdam. The letter is a notice of violation (NOV) and not a Citation. This letter went out Wednesday July 5th. I received a call from Dan Vonhondorf, with Public Works the following Friday. He stated that he received a phone call from the Church and they were under the impression they were given 3 days to clean-up or further action would be taken. This is not the case. As stated in the NOV, the recipient will be given 2 weeks to abate the issue. After 2 weeks a second NOV is issued giving the recipient a further 2 weeks to abate the issue before a citation is issued. This is PDS' standard operating procedure for code enforcement. However, the issuance of a second NOV is optional and can this step can be omitted if desire or for repeat offenders.

As you can see, nowhere in the letter did I tell them to take down two trees, we simply requested the removal of the logs.

No further action was taken by me or PDS after the initial mailing. The case has since been closed out as the issues have been resolved.

The NOV was sent to 1101 Amsterdam after a citizen complaint (anonymous) was received. This was no different than the typical complaint driven code enforcement process used for other violations in the City. On June 14th a NOV letter was sent to 1150 Coram concerning the complete the removal of a tree, that person complied and the tree has been removed. A PDF of that letter is also attached. The complaint that generated this letter was also an anonymous citizen. I mention this to illustrate that parties were treated equally and fairly, with similar letters issued in each case.

Chris Preston
Associate Zoning Official

KENTON COUNTY JOINT CODE ENFORCEMENT BOARD

NOTICE OF VIOLATION - #1

7/5/2017

MISSIONARIES OF ST JOHN THE
1134 CLEVELAND AVE
PARK HILLS, KY 410115605

Case Number: CE1707-0004

Following an investigation of your property located at 1101 AMSTERDAM RD PARK HILLS, KY 41011 PIDN: 041-30-00-069.02, on 7/5/2017, the PDS staff has found the following violation(s):

Section Number	Nature of Violation
PHZO 9.8 UNSIGHTLY OF UNSANITARY STORAGE	Logs piled at the rear of the property.

ZO references Zoning Ordinance; IPMC references the 2012 International Property Maintenance Code

REMEDY: Remove the logs piled at the rear of the property.

Compliance with these regulation(s) is essential to maintaining property values and quality of life.

Please correct the above listed violation(s) within two (2) weeks of the date of this notice. Failure to do so may result in further legal action.

You may contact us at (859) 331-8980.



Chris Preston
Zoning Official
Planning and Zoning Administration

****The Kenton County Joint Code Enforcement Board is administered by Planning and Development Services of Kenton County****

KENTON COUNTY JOINT CODE ENFORCEMENT BOARD

NOTICE OF VIOLATION - #1

6/14/2017

LEWIS LATISHA
1150 CORAM ST
PARK HILLS, KY 410112056

Case Number: CE1706-0038

Following an investigation of your property located at 1150 CORAM ST PARK HILLS, KY 41011 PIDN: 041-30-50-113.01, on 6/14/2017, the PDS staff has found the following violation(s):

Section Number	Nature of Violation
91.12 NUISANCES DESCRIBED AND PROHIBITED	Any tree, shrub, or bush located on private property, which endangers any public street or highway, any vehicle or person, any public sidewalk or any public property.

ZO references Zoning Ordinance; IPMC references the 2012 International Property Maintenance Code

REMEDY: Remove dead tree in its entirety.

Compliance with these regulation(s) is essential to maintaining property values and quality of life.

Please correct the above listed violation(s) within two (2) weeks of the date of this notice. Failure to do so may result in further legal action.

You may contact us at (859) 331-8980.



Chris Preston
Zoning Official
Planning and Zoning Administration

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