

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, MARCH 13, 2017 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY, WITH MAYOR MATT MATTONE PRESIDING. COUNCILMEMBERS PRESENT: PAMELA SPOOR, KATHY ZEMBRODT, KARL OBERJOHN, GREG CLAYPOLE, JASON RESER AND STEVE ELKINS
ALSO PRESENT: CITY ATTORNEY, TODD MCMURTRY AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

Motion to approve the February 13 and February 27, 2017 meeting minutes, after amendments, was made by Ms. Zembrodt; second by Mr. Claypole. Roll call: all ayes
Amendments for February 13th meeting included:

Motion to move \$80,000 out of the General Fund into the Reserve Fund and take \$60,000 out of the General Fund to pay down debt was changed from Ms. Spoor; second by Ms. Zembrodt to Ms. Zembrodt; second by Ms. Spoor. Also, on the last page 'Mr. Reser would like to discuss his proposed Ordinance No. 4' added the words 'regarding the hiring of a City Administrator'. Ms. Spoor had several changes for typo errors. In the February 27th minutes, Ms. Spoor asked that the source of the notes at the bottom of page 1 be clarified. She also asked that her comment regarding drainage safety at the Berling development be added to the minutes.

I. Petitioners - None

II. First Reading; Ordinance No. 4, 2017; hiring a City Administrator was read in summary by Attorney McMurtry.

III. First Reading; Ordinance No. 5, 2017; establishing an engineer review fee was read in summary by Attorney McMurtry.

IV. Emergency Reading; Ordinance No. 6, 2017; setting date/time/location of Committee Meetings was read in summary by Mr. McMurtry. Motion to accept Ordinance was made by Mr. Oberjohn; second by Mr. Elkins. Roll call: all ayes

V. Municipal Order No. 5, 2017; authorize the Mayor to apply for a text amendment to the HD Zone was read in summary by Attorney McMurtry. Some on Council were concerned that not all of the wording was contained in the Order. Mr. McMurtry stated this was just an Order to allow the Mayor to apply for a text amendment. Mr. McMurtry suggested attaching the potential text amendment from the PDS to the Order to clarify. Motion to include the attachment was made by Mr. Oberjohn; second by Mr. Elkins. Roll call: all ayes Motion to accept Order was made by Mr. Oberjohn; second by Mr. Elkins. Roll call: all ayes

VI. Department Reports

A. Police Department – Chief Cody Stanley

Chief Stanley passed out his report. Officer Seibert worked a burglary where a realtor unlawfully entered a residence without an appointment and removed property. Officer Seibert was able to obtain a confession, retrieve the stolen property and arrest the subject. Lt. Webster was able to use the park security cameras to determine who removed all of the donated books from the park. Lt. Webster is working with the Kenton County Attorney's Office to determine if charges can be filed.

Lt. Webster is currently responsible for all messages that are being placed on the new Park Hills digital sign on Dixie Highway.

Reach Alert subscribers are currently at 399, an increase of 28 from 371 in January.

Chief Stanley encouraged residents to sign up for Reach Alert.

Discussion regarding the safety of St. Joseph Lane took place. Chief Stanley stated a traffic study was done on the street not long ago. He added; it can be difficult to patrol with radar due to the limited parking and no sidewalk. Ms. Spoor believes speeding is an issue on the street. Chief Stanley stated he would contact the State Traffic Department and try to obtain a radar sign.

Mr. Elkins' concern is that people have to walk in the street because there are no sidewalks. Mayor Mattone stated the issues regarding St. Joseph Lane were to be discussed at the next Infrastructure Committee meeting.

B. Fire Department – Chief John Rigney

The fire department report was sent to Council earlier; the report includes the monthly totals.

- There were 28 calls received during the month of February. The incidents are broken down by type on his Activity report.
- CPR/AED and First Aid classes conducted for all members of the Park Hills Police Department. New AED units placed in active service.
- (4) F.D. members began attending the Kenton County Fire Recruit Class. An additional (2) members are currently enrolled in EMT school.
- Met with design and fire protection engineers for the new Covington Catholic expansion.
- Assisted Ft. Wright F.D. with a serious accident on 3L Highway.

C. Public Works – Daniel VonHandorf

Mr. VonHandorf thanked everyone for another month.

He reminded everyone the parade was coming up and help is always needed.

He has been mulching in the park and stated some road projects will be starting soon.

He thanked everyone for their support regarding the new digital sign.

Mayor Mattone thanked Mr. VonHandorf for helping to coordinate the luminaries last week for Elliot's homecoming.

Ms. Zembrodt asked if the Alhambra signs would be put back up. Mr. VonHandorf stated it is on his list.

Ms. Spoor thanked Mr. VonHandorf for removing a tree which had caught fire years ago. She stated the tree was dropping limbs and was dangerous. Mr. VonHandorf commented the tree was completely hollowed out.

D. City Engineer – Jay Bayer

Projects in Construction Phase

Altavia Reconstruction Project

Fred A Nemann Company has primarily completed the project. The city will be preparing a final punch list for the project this month.

Aberdeen Reconstruction Project

Paul Michel's and Sons has constructed the majority of the project. The surface asphalt course and final restoration have yet to be completed.

Projects in Design Phase

1208 Audubon Road Storm Sewer Project

SD1 has approved the proposed storm sewer system design on 3/7/17. A meeting is being set with the property owners for review of the plans and approval of easements.

Anticipated bid date for the project is spring of 2017.

North Arlington Road Improvement Project

SD1 approved the city's application for a 50/50 match for the storm water portion of the project at their board meeting on 2/21/17. The SD1 agreement was sent to the city for signature on 2/24/17. A meeting with the residents is being set to review the plans before finalizing the plans

Jackson Road Improvement Project

A preliminary street meeting was held with the residents on 2/3/2017. Existing utilities have been marked for location. Bayer Becker has begun field surveying work.

Old State Road Sidewalk

The Park Hills Infrastructure Committee has recommended that a sidewalk be constructed on south side of Old State Road from Terrace to North Arlington. A preliminary plan is prepared.

Private Projects in the City (Audubon Forest)

3/2/17 Contractors moved equipment on site

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

Crews are to give a 72 hour notice prior to burning which will then be put on the city's website.

The PDS will meet on April 6th to discuss rezoning the entire development as one zone. It will come back to the city for vote.

Mayor Mattone asked about fencing around the construction/demolition area. Mr. Bayer stated, it was his understanding, the house was going to come down at the end of the clearing and a fence will immediately go up around the house when that occurs. He believes there will be a temporary construction fence just along the common line by the Theissen residence. Mr. Bayer encouraged everyone to tell their children to keep away from the construction area.

Mr. Reser brought up some of the residents' concerns regarding the culverts and asked if a plan could be made available for Council to review to make sure it is safe.

Ms. Spoor asked if Mr. Bayer spoke about the drainage plan with the Willig's who were present at the last meeting and brought up their concerns. She asked Mr. Bayer if he had any further safety recommendations. Mr. Bayer replied the Kenton County Subdivision Regulations require that culvert pipes (lying on their side) which are 24" or less have a grate on them. He added that drainage structures are dangerous and people should warn

their children of the dangers. To try to improve the safety, the Kenton County Planning Commission requires a headwall with a grate which would allow the water in and allow someone pinned against it to possibly go up the sloped wall and get out. The proposed pipe on the inlet for the Berling development is 42" so the grate is not required. The thought is if the pipe is larger, it may be easier to survive going in if you were to go through the entire system. This 42" inch pipe has multiple angles in it and Mr. Berling has agreed verbally to Mr. Bayer to install a grate on it to make it safer. Mr. Bayer added that there will also be a railing above the headwall.

Mr. Claypole stated he had a conversation with Mr. Kevin Theissen today. He stated Mr. Theissen told him he spoke with Mr. Berling about the possibility of putting a fence around the inlet for added safety.

E. Finance Department – February

Mr. Reser was concerned that some of Mr. VonHandorf's part time expenses were being put into his overtime budget. It was explained the overtime was acquired before Mr. VonHandorf obtained part time help. Ms. Zembrodt reminded all that the part time help must work less than 99 hours per month so that a pension payment is not required. Motion to approve financial reports was made by Ms. Spoor; second by Mr. Reser. Roll call: all ayes

Ms. Spoor asked that the monthly financials as well as the Special Fund payments be posted to the website. Mayor Mattone approved.

Motion to pay the Road Fund invoices in the amount of \$9,863.75, the Municipal Road fund invoice in the amount of \$1,480.00 was made by Mr. Oberjohn; second by Ms. Zembrodt. Roll call: all ayes

VII. Delegation Discussions

A. Mr. Lange stated last month the franchise review committee met and made a bit of progress. Preliminary talks are going on with a couple of partners on some new programs. One is concerning the Covington Farmer's Market, possibly, and the other is the Covington Business Council. He went on to say the number of programming hours has stayed consistent with a slight increase due to the high school sports coverage. The Board is going to conduct another public input meeting on March 30th at 6:00 p.m. at the PDS office. The next TBNK meeting is scheduled for this Wednesday, March 15th.

B. Mr. Gray stated there was nothing new to report as there were no Park Hills citations or final orders given. This month's meeting was canceled due to nothing on the agenda. On April 8th, a training session will be held for city and county Code Enforcement Board members.

VIII. Committee Reports

A. Communications Committee

Mr. Bob Amott, member of the committee, gave the report. He began by saying the committee has met and is in the process of moving things along. The committee created both vision and mission statements.

The vision statement defines what the committee wishes to do. They want to provide a timely and consistent flow of information from the government of Park Hills to the citizens.

The mission statement defines how the committee intends to fulfill that vision. It is connecting Park Hills through open communication, engaging conversation and relevant information. The two immediate priorities are the city's website and the new message board on Dixie Highway. The committee wants to make the website easier to navigate with less 'clicks'. Several sub-committees have been established to address both the website and sign. Last week, Lt. Webster had training on uploading the new sign.

B. Personnel Committee

Mr. Elkins stated an initial meeting was held with him, Mr. Oberjohn, Ms. Dean and Ms. Stephenson. Minutes taken are still in draft form. It was more of a get to know each other meeting. The committee is looking to fill some of the gaps in the new personnel policy and also discussed the proposed City Administrator by looking at what the city currently has and what it needs.

C. Infrastructure/Public Works

Mr. Oberjohn stated the committee will be holding a public meeting with residents to discuss the upcoming Old State Road and North Arlington Road projects. They will also look at making the safety of St. Joseph Lane a high priority in their discussions going forward.

D. Historical Preservation Committee

Ms. Spoor stated the committee will meet tomorrow night at 7:00 p.m. at the city building. Ms. Spoor has been working with the Vicki Birenberg of the KY Historic Preservation Society and has been very helpful in giving guidance on how to inform the committee members of what their options are under Kentucky law and suggestions for preservation within the city.

E. Financial Oversight Committee

Ms. Spoor stated the committee met on Monday, March 6th at 7:00 p.m. at the city building. The meeting began with a brief summary of the Berling settlement which is posted on the city's website. Discussion turned to debt repayment. Committee members were provided with promissory notes and documents associated with the debt. Council had voted to repay \$60,000 toward the \$120,000 debt which has been around about 15-16 years she stated. She added that the Mayor did not want to make that payment until the committee discussed it. The committee voted unanimously to pay the \$60,000. Options on the remaining \$60,000 debt were discussed. The city clerk sought bids from several financial institutions and decided on Heritage as the most appropriate bid. It is a 3 year fixed rate term pre-payable at any time. It will result in an annual debt service payment of \$20,880. The only stipulation on approval of the bid is that the cost of bond counsel is not to exceed \$1,500. The procurement policy recently implemented by Council was also discussed. She stated Mr. Carle, a member of the committee, recommended that members of Council, elected officials, all committee members and department heads sign a conflict of interest policy. Mr. McMurtry stated this should be furnished through the NKAAD but he will look into it to make sure.

The committee then discussed committee members being subject to the Freedom of Information Act requests and the cost of having everyone assigned a city email account

would cost up to \$2,500. It was decided that members of the financial committee use a dedicated personal email.

Chief Stanley went over some of the details of his budget during the financial meeting. The Mayor presented the committee with a preliminary budget with a roughly \$50,000 deficit.

Ms. Spoor stated one of the city's largest costs it is facing is the conversion of the radio system. Mr. Huff, another member of the committee, wants to be proactive and suggested some ways of how to save money for them. The city clerk is working on reports the committee would like to see moving forward.

Ms. Zembrodts stated, moving forward, they would go to the departments and work on each of their budgets to bring the overall budget to a positive net. The committee also asked to see the format for the reports include the proposed budget along with the last two years and the actual. The next meeting will be held on Monday, April 3rd.

Mr. Oberjohn asked who would be in charge of OpenGov service. Mayor Mattone stated it should be under the Financial Oversight Committee. Mr. Oberjohn would like to see more information on it.

IX. Old Business

A. Ms. Spoor asked Mr. Neinaber what his timeline is on the 1450 Dixie Highway property. Mr. Neinaber stated he would like to have something by May 1st.

B. Our Lady of Lourdes Grotto

Ms. Spoor recused herself from all discussion regarding the Church and/or the Grotto and removed herself from the table.

Mayor Mattone stated he, along with Mr. Claypole and Ms. Spoor, met with the PDS. The first step is the applicant needs to apply for a Text Amendment to allow an accessory, or Church use, along a collector road. There are currently no Church uses along collector roads in Park Hills. The petitioner will have to apply for a Text Amendment to change the current R1EE zone to allow for accessory uses to occur on a corridor. Right now, that is the only update the Mayor has.

Mr. McMurtry added that he was not sure exactly but it would be a Text Amendment; the text would have to be modified to allow certain activity on a collector street if it is not currently permitted. Final approval would come back to Council. Mayor Mattone stated no application has been made yet.

Mr. Oberjohn asked Mr. McMurtry to comment on the Religious Land Use and Institutionalized Persons Act and how it may apply to the Grotto. Mr. McMurtry replied that he hasn't looked at that for a while. He has worked on that Act before and generally, religious institutions are exempt from zoning, but doesn't what the limitations are. He stated the United States Congress passed an Act which protects religious liberty and the idea is that you can't zone churches out of existence or prohibit them in certain areas. He does not know if it eliminates all restrictions. He stated he would need to check into it in order to advise the city.

Mr. Reser addressed a Priest in the audience from Our Lady of Lourdes. Father stated he arrived to the Parish two months ago from New Orleans. Mr. Reser stated that the Church has been very successful and has been planning to this date with more plans to expand;

looking at parking and other structures. He added some people's concerns would be allayed if they knew of the Church's plans ahead of time.

Mr. Claypole asked Father if the Church has addressed some of the parking issues. The Priest in the audience apologized that the Pastor was unavailable to come this evening and he was just there to observe.

Mayor Mattone stated the conversation could be continued at the Caucus Meeting.


X. New Business

The PDS asked cities to look at modernizing and reducing the number of zoning codes throughout the county. They want to review all of the existing zoning codes within the county and make recommendations to simplify them. They asked each municipality if they would like to be a part of that. Mayor Mattone stated he initially responded on the city's behalf that we would like to do this; there is no cost to the city. He wants to make sure Council is comfortable engaging in this investigation. He believes it may help the city when it moves forward with its comprehensive plan. Mr. Elkins believes it is a good discussion to have. An outside consultant will be hired to look at all of the zoning Ordinances within the county. Mayor Mattone believes it would be a couple of months before they began. He believes the entire process would take between 12-18 months minimum. Ms. Spoor added she has no objection.

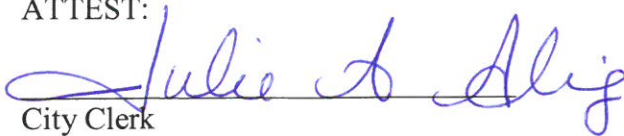
The next Mayor's Group Meeting is scheduled for Saturday, March 18th at 9:00 a.m. at the PDS.

Ms. Spoor asked when Council would have discussions about the Ordinances which received first reading tonight. Mayor Mattone asked that they be added to the Caucus agenda.

9:37 Motion to adjourn was made by Mr. Elkins


Mayor, Matt Mattone

ATTEST:


City Clerk