

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, JUNE 11, 2018 AT 7:00 P.M. AT GRANITE WORLD, 1450 DIXIE HIGHWAY WITH MAYOR MATT MATTHEW MATTONE PRESIDING  
COUNCILMEMBERS PRESENT: KATHY ZEMBRODT, PAM SPOOR, JASON RESER, GREG CLAYPOLE, STEVE ELKINS AND KARL OBERJOHN  
ALSO PRESENT: CITY ATTORNEY, KYLE WINSLOW

Call to Order

Pledge of Allegiance

Roll Call

Motion to approve the May 14, 2018 minutes, after amendment, was made by Ms. Zembrodt; second by Mr. Oberjohn. Roll call: Ms. Spoor abstained from the vote since she was not present at that meeting, Ms. Zembrodt; aye, Mr. Reser; aye, Mr. Claypole; aye, Mr. Elkins; aye, Mr. Oberjohn; aye. Motion carried.

#### I. Petitioners

A. Mr. Duane Kruer, Audubon Road, was present at the meeting to discuss the problems with Audubon Road. He stated, when it rains, gravel washes into his driveway and yard. He said there are also very large potholes. He is also concerned with cars parking on the bend as it is hard to see what's coming. Mayor Mattone stated he would also like to see the water line and curb and gutters replaced. Mr. Oberjohn added; the road needs immediate attention and would like to discuss a timeline for repair with Mr. VonHandorf. Mr. Kruer also believes the new Devou clubhouse has caused many of the water issues. The Mayor replied he would reach out to Mr. Rick Davis, the Devou project manager regarding this concern. Ms. Spoor asked if the city would consider extending the 'No Parking' on the curb. Mr. Oberjohn replied he would go over it with the city engineer.

B. Ms. Grace Baker, 1423 Amsterdam Road, was present at the meeting to discuss the garbage situation on her neighbor's property. She began by stating the neighbor was running and Air B&B on the property causing parking issues. The Air B&B stopped but she states the garbage problem is ongoing. She passed out pictures to the Mayor and Council showing the piled up garbage. Initially, letters from PDS regarding the problem were sent to the home. After further research, it was discovered the home was owned by someone else living in Melbourne. Mr. Himes, PDS, has recently sent a letter to the owner with a fine attached. She is hoping this will help with the problem. Mr. Winslow stated he would contact Mr. Himes to see what stage he is in and the status of the property. Mr. Baker thanked the attorney, Mayor and Council.

C. Ms. Angela Cook, representative with SD1, introduced herself to Council. She stated, about a year ago, she began visiting elected officials and is available for any issues that may come up.

II. First Reading; Ordinance No. 4, 2018 establishing a Capital Improvement Plan was read in summary by Mr. Winslow.

Ms. Zembrodt asked to table the Ordinance until Council has seen the capital plan by Mr. Baker. Ms. Spoor would also like to have a definition of what a necessary capital

expenditure is in Section I. The Mayor stated the capital improvements will come from the department heads. Ms. Spoor does not see that contained in the Ordinance. Ms. Zembrodt stated she also wanted to fund 5,000 into the plan for each department. Mr. Winslow said he will make some changes for Council to review before the second reading.

III. First Reading; Ordinance No. 5, 2018 repealing the reserve funds, was read in summary by Mr. Winslow. Ms. Zembrodt asked that the Park and Tree accounts be removed from the list of funds to be transferred. Ms. Spoor would also like the Ordinance to give the exact definition/description of the funds. The Mayor explained, instead of the money going into a special reserve fund, it will go into the general fund for capital purchases as the need arises. Ms. Spoor asked that the words general fund be capitalized in Section III.

IV. First Reading; Ordinance No. 6, 2018 amending the police chief's contract, was read in summary by Mr. Winslow.

V. First Reading; Ordinance No. 7, 2018 amending the 2017-2018 budget was read in summary by Mr. Winslow.

VI. First Reading; Ordinance No. 8, 2018; proposed 2018-2019 budget was read in summary by Mr. Winslow. Ms. Zembrodt was concerned that the Vehicle Fee Fund was added into the Municipal Road Fund (MRA). She would like to keep them separate since the Vehicle Fund has its own Ordinance. She asked that a new column be added for the Vehicle Fund and that the carry over amount as well as the expected revenue be moved into the column as well. In addition, she asked that the \$20,000 each expended under the MRA for sidewalks/lights and mill & overlay be moved over to the Vehicle Fund as expenditures.

These changes will be made for second reading.

VII. Resolution No. 5, 2018 appointing Jack Prater as a full time officer (upon approval from the state) was read by Mr. Winslow. Motion to accept Resolution was made by Ms. Spoor; second by Mr. Claypole. Roll call: all ayes

#### VIII. Department Reports

##### A. Fire Department – Chief John S. Rigney

Chief Rigney's monthly report included the following:

- A total of 49 calls for service were received during the month of May. The incidents are broken down by type on the activity report Council received.
- Attended several meetings involving the new regional radio project. Received BAFO pricing information which ultimately reduced the original estimates by \$30,000 for the FD alone. The FD will cover the one time cost of the accessories, installation, etc.
- Annual ladder testing was conducted by the Mistras Company. Chief Rigney reiterated the need for equipment testing as one of the ladders snapped during testing.

Ms. Spoor asked about CPR training. Chief Rigney replied they would like to do a friends and family training later in the year for a mass group of people. Mr. Claypole suggested adding it into the upcoming newsletter.

B. Police Department – Chief Cody Stanley

Chief Stanley stated there was no major activity in the month of May.

C. Public Works – Dan VonHandorf

Mr. VonHandorf thanked Mayor and Council for another month.

- Mr. VonHandorf thanked Mr. John Klette and Mr. Arthur (Art) Unruh for participating in this years' parade as Grand Marshalls and everyone else who helped with the parade.
- Duke subcontractors are still working on Amsterdam Road from Sleepy Hollow to Trolley Park. They will then make their way back Amsterdam on the other side towards Sleepy Hollow.
- Mr. VonHandorf met with a Duke lighting representative on Wednesday to address lighting issues for North Arlington, Jackson Road and Amsterdam Road.
- KS Energy is finishing up on North Arlington and Michels will begin moving equipment in for the construction of the storm sewer next week.
- A team from UK is in the city to do a tree inventory. They should be finished by Friday.
- Audubon Forest construction is in full swing. Mr. VonHandorf stated water control needs to be addressed as well as the curb and gutter on Audubon. He added; they may want to look at a parking area for the construction equipment.

Mr. Kevin Theissen, Audubon resident, asked if it was ok for construction to start at 7:00 a.m. The Ordinance states it is.

A water main break on Amsterdam over the weekend affected a large portion of the city. Mr. Claypole stated he is working with Mr. VonHandorf to have the grass seed put down on Old State Road.

Discussion turned to LED lightning and street sign repair.

D. City Engineer – Jay Bayer

Mr. Bayer stated most of his report was covered under the Public Works report.

Ms. Zembrodt asked if Mr. Jenkins' issue has been corrected. Mr. Bayer replied, after a brief Infrastructure Committee meeting, Mr. Jenkins may take over the restoration himself.

E. Treasurer's Report – Julie Alig

Motion to accept the May, 2018 financial reports was made by Mr. Reser; second by Ms. Zembrodt. Roll call: all ayes

Motion to pay the Road Fund invoices in the amount of \$6,649.80, the Municipal Road Aid invoice in the amount of \$337.50 and the Vehicle Fee invoice of \$920.00 was made by Ms. Spoor; second by Ms. Zembrodt. Roll call: all ayes

IX. Delegation Discussions

1. Telecommunications Board of Northern KY – Richard Lange

Mr. Lange stated the board approved the new budget. The audit was presented by Van Gorder, Walker & Co. and showed everything to be in order

2. Code Enforcement Board – David Gray

Mr. Gray stated there was nothing new to report

3. Audubon Forest/Berling Development

There is nothing new to report

4. Gateway Development/Zeltwanger

Mr. Zeltwanger, along with his geo tech and civil engineer, was present at the meeting to discuss updates on the Park Pointe project.

Mr. Zeltwanger stated that some of the Views' residents were concerned that an entrance to the new Park Pointe off of Dixie may be too close to their entrance. Other alternatives are being looked at. He added; the size needed for a retaining wall would be much larger than first anticipated and may be visually unpleasant. They are looking for what is best for everyone.

The Covington leadership prefers the Old State Road entrance be left open for emergency vehicles even if it is only for the homes that will be located in Park Hills.

Mr. Zeltwanger asked his civil engineer to redraw the development without the Dixie Highway access.

The approval vote from Covington regarding the Stage 1 plan will be on June 26<sup>th</sup>. The developer is pushing hard for the Stage 2 plan and would like to keep the project moving forward.

The developer met with SD1 on Friday to discuss the lower portion of Amsterdam Road. The benefit to the SCO mandate was too high and needs to be re-worked.

Mr. Claypole would like Old State residents to have a say regarding the road closure. Chief Stanley would like to see the road open at all times. He doesn't foresee a lot of people using the Old State access. It would make it much easier for emergency personnel to get their quicker than if it was closed. He suggested leaving it open and if it proves to be a problem, re-address it. Mr. Zeltwanger stated the design would remain the same either way. Chief Rigney added; Ft. Wright would have easier access and a quicker response time if the Old State Road access was kept open. Mr. Zeltwanger would like to include Arlington residents in the discussion as well. Mr. Oberjohn will look at the Infrastructure Committee's schedule to try to set up a time for everyone to meet. Discussion turned to the Amsterdam Valley storm and sanitary lines.

Mr. Winslow gave his report regarding the Stage 1 plan. The developer has applied for a Stage 1 Development Plan that was approved by the PDS and will now come to the city. The city's attorneys recommended to the Mayor and city engineer to hold a hearing next week to discuss the plan. There will be no new evidence presented. Mr. Winslow will email the PDS record to Council this week. The Council will review the PDS record and make a decision based on that record. Petitioners will be allowed to speak with regard to the plan. Council can take first action next week. In the meantime, the Mayor, city engineer and city attorneys met and recommend approval of the plans subject to a couple of conditions, which will be sent to Council tomorrow. A second reading of an Ordinance will have to be done by July 5<sup>th</sup>; a Special Meeting may be in order to do so. If the city

does nothing, it is accepted by 90 days. Mr. Winslow will send out the proposed language and if there are questions, it would be helpful to schedule a meeting with Mr. Bayer and Mr. Winslow sometime this week. Ms. Spoor made a motion to notify adjacent property owners about the meeting; second by Mr. Claypole.

#### X. Committee Reports

##### A. Tree Board – Mike Conway

Mr. Conway was present at the meeting to give a Tree Board update. He stated the board planted over 75 trees last year. The Plant A Tree program was successful. They are also worked with the Department of Forestry to provide seedlings to residents. Over 100 were given out this year. Mr. Conway said they hope to give out 300-500 next year. The UK team is doing a tree inventory this week and is about 1/3 of the way finished.

Ms. Spoor asked if the Tree Board Plan Ordinance could be added to next Monday's agenda for first reading. Mr. Conway stated the Ordinance is modeled after Ft. Thomas and Anchorage, Kentucky.

The Mayor asked how residents would know what kind of trees can be planted. Ms. Spoor replied it is a suggested list and can be put on the website and added in a newsletter. The Mayor stated the city needs a plan to plant trees on streets that need them. Mr. Conway stated they wanted to do one street per year which began when Terrace was redone. There sometimes isn't room in the right of way for trees. This is why they have the Plant A Tree Program so residents that want trees can get them.

##### B. Kenton County Planning Commission – Phil Ryan

Mr. Ryan stated the Z21 meeting will take place on Wednesday at 11:30 at the PDS. Mr. Reser gave a brief explanation of Z21's purpose.

##### C. Communications – Karl Oberjohn

Mr. Oberjohn gave Council members quotes for sound systems to be used during Council meetings to improve the sound. The higher priced system has a full warranty and replacement parts; they use UHF instead of VHF. The UHF is more reliable. The Mayor stated there is \$1,200 in the upcoming budget allocated for a sound system.

Mr. Oberjohn relayed to Council that Audubon Road was missed on the last newsletter. He would like to make sure this doesn't happen with the next newsletter delivery. Ms. Zembrodts suggested putting a thank you in the next newsletter thanking Mr. Nienaber for letting the city use his space for its June meetings.

#### XI. Old Business – nothing

#### XII. New Business

A. An anonymous letter was sent to the Mayor and Council regarding the city's past Memorial Day Parade. A resident was upset that stickers and literature was passed out to children during the parade. The Mayor asked who approves parade participants and what are the rules. Ms. Spoor stated this can be viewed as a free speech issue but since the city budgets money for the parade and approves the application, we should have some say.

Mr. Elkins does not believe the parade should be political and believes only candy should be given out; no literature. The Mayor wonders if campaigning should be banned. Ms. Zembrodt replied they could be in the parade but just limit what is thrown into the crowd. Mr. Winslow suggested letting participants know that certain things are discouraged such as passing out flyers/literature.

B. Job duties/Organization chart

Mr. Oberjohn has been working with Mr. Winslow on ways to clarify job duties for officials and employees. He was looking at the Infrastructure standpoint but did not have time to go over with Mr. VonHandorf. He would like to have written legislation on how Mr. VonHandorf works with the Infrastructure Committee. Mr. Elkins added this was brought up about a year ago and believes the job duties need to have more structure to them.

C. The next Mayor's Group Meeting is scheduled for Saturday, June 16<sup>th</sup> at 9:00 a.m. at the Crescent Springs City Building

Ms. Spoor asked to continue the parade discussion. She would like to schedule a parade discussion with the focus of the parade to be for the children. Ms. Zembrodt suggested changing the permit; Mr. Elkins would also like to see some rules and regulations. Mr. Froelich, a parade participant, stated there were no regulations sent out. Mr. Winslow suggested keeping the content neutral and Mr. Reser suggested passing out a sheet with guideline suggestions. Mayor Mattone stated he would reach out to Mr. Schlothauer for his input. He has helped plan the parade for over 40 years.

9:12 Motion to adjourn from Business Meeting was made by Ms. Spoor; second by Ms. Zembrodt

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Mayor, Matt Mattone

ATTEST:

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City Clerk

