

THE PARK HILLS CITY COUNCIL HELD A CAUCUS MEETING ON MONDAY, FEBRUARY 25, 2019 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY, WITH MAYOR KATHY ZEMBRODT PRESIDING.
COUNCILMEMBERS PRESENT: PAMELA SPOOR, SARAH FROELICH, KEVIN THEISSEN AND WESLEY DETERS
ABSENT: STEVE ELKINS AND JOE SHIELDS
ALSO PRESENT WAS ATTORNEY KYLE WINSLOW AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

I. Presenters

A. PDS representatives, Dennis Gordon and Andy Videkovich, were present at the meeting to give an update on Z21.

Mr. Gordon began by going over some of the services of the PDSKC and some of the accomplishments of the Z21 project. The PDS provides a 'One Stop Shop' for member communities which include:

- Pursuing local codes enforcement programs
- Staffing boards of adjustment
- Inspecting infrastructure construction
- Administering the KY Building Code and KY Residential Code

Their website, pdskc.org, houses their OpenGov portal which shows their financials and analytics. Cities and residents can also visit linkgis.org to view the latest in aerial photos updated last spring. The KY Building and KY Residential Codes are new as of January 1st. Mr. Gordon emphasized the PDS is there to serve you. They will follow up to keep everyone apprised of what is being done.

Mr. Videkovich gave the update on the Z21 initiative. He began by saying they are wrapping up the second phase of the project. During the Direction 2030, there were calls to update the Kenton County Zoning Ordinance. Every jurisdiction, now 13 of them, adopted goals and objectives. There are three phases, which are included in the attached presentation. Phase two creates a single draft for all 13 jurisdictions which will then be customized for each jurisdiction. The document will be organized and streamlined. The new permitted uses will be easier to read and will be customized to Park Hills. The document contains 14 Articles which are also included in the attached presentation. Mayor Zembrodt reminded everyone that past Council members also helped with the Z21 project.

Mr. Videkovich finished by saying each city will appoint Council members and/or others in the community who wish to be a part of the process.

The entire presentation is added as an addendum to the minutes.

B. Mr. Paul Zeltwanger, Joshua One, was present at the meeting to give an update on the Park Pointe development. He began by thanking the present, as well as the past,

Mayor and Council for all the work done to get this project underway. He would like to solve some of the community issues and realizes there are differences of opinions associated with the development. He stated the agreement was close to being signed at the end of 2018, but some tweaks were made by the new council with the input of the city engineer.

Mr. Zeltwanger thanked SD1 for partnering with him on this project as flooding issues needed to be addressed. He believes this project will make a significant improvement to the flooding and landscape issue.

Mr. Zeltwanger continued by addressing the sidewalk vs. pathway. He stated he is a cyclist but believes sidewalks will be safer for pedestrians. He also believes sidewalks will look nicer as pathways seem to become overgrown and unattractive. Even though sidewalks are more expensive, the majority of those who gave their opinion preferred concrete sidewalks.

The last stage of the approval process is in regards to the sanitation and sewers. He hopes to have the final stage two plan complete in a couple of weeks for the city engineer to review. That plan will then be submitted to the PDS for review. He hopes to begin the actual work in April or May. He will work with the city on the landscaping.

C. Mr. Sean Blake, Senior Manager of SD1, was present at the meeting to talk about the sanitation/sewer portion of the Park Pointe project. The storm pipes once owned by the city were transferred to SD1 years ago; in the mid 90's, the sanitary sewer system was also transferred. SD1 was given 21 years to meet the Combined Sewer Overflow (CSO) requirements. Most of the pipes installed years ago were comprised of one piping system. Not all of the water flowing into the pipes went to the treatment plant causing much of the overflow to enter rivers and streams. The EPA now says 90% of the water needs to be captured for treatment. The initial plan would have cost about \$1.5 billion. A new executive director believed they could do better to meet the criteria needed. Mr. Blake stated the Park Pointe project is one opportunity for SD1 to reduce the CSO bringing them one step closer to compliance. To accomplish this and reduce flooding, the detention pond for the project must be a certain size. The pond design is almost finished. Ms. Froelich asked when the design for the pond would be available to view. Mr. Blake replied as soon as the design is finished, it will become public record. Mr. Zeltwanger added the grading of the pond will not be significant and the design is very close to the original design submission. The capacity issue needs to be solved but he wants to make sure it looks nice. Ms. Froelich added the importance of the pond looking good relies on the design of the detention area, not just the landscaping. Ms. Spoor asked if Mr. Zeltwanger and SD1 will be working simultaneously on their respective projects. Mr. Zeltwanger replied they would.

II. Petitioners

A. Mr. Jason Reser, 1011 Rose Circle, was present at the meeting to discuss the Park Pointe agreement. Mr. Reser is the owner of Reser Bicycles in Newport. He is also on the Board of Cincinnati Off Road and also on the executive committee of Tri-State Trails. He stated the original agreement proposed in 2018 had the path as no less than 8' wide; the new agreement has the path as no less than 5' and no more than 6' made out of concrete. He added; right now there are two 20' roads that will ultimately become one 25' wide road. He worries that bikers going up the hill will hold up traffic as bikers are not allowed to ride on sidewalks. He stated there was support for the 8' wide pathway at the 'Plan Park Hills' meetings and that there hasn't been another open meeting since. He believes the trails in Devou Park are all 8-9' wide. This width would cause less congestion.

Mr. Zeltwanger added that the pathway already has to be 6' from the curb with additional lighting and landscaping. This will consume some of the additional space. He is also concerned about cyclist coming down the hill at higher rates of speed. This may make it uncomfortable for walkers. Mr. Reser suggested a curvier pathway to reduce speed. Mr. Zeltwanger stated the hillside on Hamilton Road will be buttressed which will also will take away some of the flatter area at the top of the road. He wants the walkway to connect to Trolley Park so there is no gap. He hopes the path situation will not slow the progress of the project and doesn't want it to be a deciding factor of the development.

B. Mr. Joe Daugherty was present at the meeting to talk about the dimensions of the retaining pond. He is concerned about the height and slope of the proposed dam. He is worried that there will be a large unattractive hole in the ground and that it may also cause loss of the land behind it. Mr. Blake replied there are different types of basins. It will need to be large enough to collect run off. There are strict rules to make sure the dam will not fail. He would like to keep it as short as possible but it also needs to be maintainable.

Mr. Matt Mattone asked Mr. Blake and Mr. Zeltwanger asked about the jurisdiction of water that was a big issue with the Berling project. He asked if this has been resolved yet. Mr. Blake replied that whenever you impact a channel/creek, they are jurisdictional meaning there are two agencies that have a say so. One being the Army Corps of Engineers; the other, the KY Division of Water. The Army Corps of Engineers are concerned with what is going in and out of the creek. The KY Division of Water is concerned about the quality of the water. Both agencies need to be satisfied. These two agencies have jurisdiction if this is considered the waters of Commonwealth or the waters of US. He explained how the water flows into the pipe and then makes its way to the treatment plan. SD1's position has been that this is not waters of Commonwealth because the pipes belong to SD1 and this is an extension of their system. This information was sent to the Army Corps of Engineers stating the water is not jurisdictional; meaning this is not the water of the US. If they disagree saying this is jurisdictional, SD1 will simply have to get a permit.

Mr. Mattone asked if this was the same thing that happened with the Berling property. Mr. Blake replied if it is less than 300 feet, a permit is all that is needed. Mr. Mattone also asked about the exhibits on the development agreement and Ms. Spoor explained two of those exhibits were meets and bounds legal descriptions and the third was the Phase 1 Development Plan.

III. Old Business

Ms. Zembrodt stated there is an opening on the Board of Adjustment after one of the members resigned. She asked anyone interested in filling the vacancy to let her know.

IV. New Business

Mayor Zembrodt asked Chief Stanley to give a brief description of what a School Resource Officer (SRO) would be used for and the cost. Chief Stanley stated the job(s) of the SRO would depend on the school's needs; in this case Covington Catholic High School. Mayor Zembrodt asked if the police department would hire a new officer. Chief Stanley replied they would and that CCH would pay approximately 65% towards the cost of that officer. Most schools only pay around 20-25% of the cost. The officer could then be used by the department during summer months and school breaks. He added he has a retired officer in mind for the position although talks are still in infancy. Chief Stanley is also talking with NDA regarding them acquiring an SRO. Right now, they have no plans to do so.

Mayor Zembrodt believes having an additional officer will also reduce overtime costs for the department. A question was asked if the SRO would leave the school to help cover another incident. Chief Stanley replied that the safety of the students would always come first. Chief Stanley believes all Kenton County Schools have an SRO, but this would be a first for a parochial school. The Chief would like to start with a three year plan to see how it goes.

8:40 Motion to adjourn Caucus Meeting

Mayor, Kathy Zembrodt

ATTEST:

City Clerk