

THE PARK HILLS CITY COUNCIL HELD A BUSINESS MEETING ON MONDAY, MARCH 11, 2019 AT 7:00 P.M. AT ST. JOSEPH HEIGHTS, 1601 DIXIE HIGHWAY, WITH MAYOR KATHY ZEMBRODT PRESIDING  
COUNCILMEMBERS PRESENT: PAM SPOOR, SARAH FROELICH, JOE SHIELDS, KEVIN THEISSEN, STEVE ELKINS AND WESLEY DETERS  
ALSO PRESENT: CITY ATTORNEY, KYLE WINSLOW AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

Motion to approve the February 11, 2019 meeting minutes was made by Ms. Spoor; second by Mr. Shields. Roll call: all ayes Motion to approve the February 25, 2019 meeting minutes, based on changes, was made by Ms. Spoor; second by Mr. Theissen. Roll call: all ayes Mr. Elkins and Mr. Shields abstained from voting as they were absent for the February 25<sup>th</sup> meeting.

#### I. Petitioners

A. Mr. Jim Pfaller, Aberdeen resident, was present at the meeting to talk about the Amsterdam Valley. Mr. Pfaller apologized for missing the last several meetings and thanked Mayor and Council for giving him the opportunity to speak. He stated he was excited about what was discussed during the Plan Park Hills Meetings and asked residents to view the reports from those meetings on the city's website. He stated he had heard that Mr. Zeltwanger used the vision as a driver for his design. He is excited about the once in a generation opportunity for change to the Amsterdam Valley. He believes the development agreement lays out a lot of the basic expectations. He believes there are a lot of opportunities to extend Trolley Park at least down to the Parkvale/Amsterdam interchange that will be rebuilt. He added he would also like to see more sidewalks in the city.

B. Mr. Joe Daugherty was present at the meeting to also discuss Amsterdam Valley. He stated the plan about to be accepted seems to be significantly different than the original plan. He believes the damn will be too high at 26' and should fall under the Army Corps of Engineers. He thinks if the damn is about 8' lower, it would look like less of an industrial area. He would like to retain a usable flat area. He understands the need for the storm water detention but believes several small detention areas uphill with a smaller basin at the bottom has been proposed but not adequately considered. He is also concerned about closing Amsterdam completely during construction. He would like a public forum held to visit with the landscapers and the designers of the detention basin.

II. Second Reading; Ordinance No. 9, 2018 requiring Tree Board to develop an annual plan was explained by Ms. Spoor. She stated the Ordinance was introduced last March and that the second reading was to take place in June of last year. The second reading was tabled so that the city attorney could make sure it did not conflict with the city's Nuisance Ordinance. Since then, the city has three new Council members who haven't seen the Ordinance so she asked that it be read as first reading. She stated the

main purpose of the Ordinance is for the Tree Board to identify their roles and duties. The Tree Board does not want to be responsible for enforcing the Ordinance in regards to having trees removed. They would like the city to have that duty.

Motion to amend the agenda to reflect a first reading was made by Ms. Spoor; second by Ms. Deters.

Ms. Froelich stated she watched some of the video from the June 25, 2018 meeting and wondered if there had been any written proposal of the changes and if it has been shared. Ms. Spoor stated this is a new Ordinance that was prepared mainly by the Tree Board. Ms. Froelich stated she does not want to overlook any questions that were asked during an August 25, 2018 meeting when this Ordinance was brought up again. Ms. Spoor asked that the new Ordinance be put on the city's website for everyone to see and review. Ms. Froelich stated Council wasn't given a new Ordinance for the meeting and asked if it could even be a first reading. Mayor Zembrodt stated that is why the agenda was amended so that the Ordinance would be treated as a first read.

Roll call for motion to amend that agenda to reflect a first reading: Ms. Spoor; aye, Ms. Froelich; nay, Mr. Shields; aye, Mr. Theissen; aye, Mr. Elkins; aye, Ms. Deters; aye. Motion carried

First reading of Ordinance No. 1, 2019 was read in summary by Mr. Winslow  
Discussion followed regarding procedures by the city to remove, or have removed, dangerous trees.

III. Resolution No. 3, 2019 identifying the Kentucky pension crisis as a top priority during the 2019 session was read by Mr. Winslow. Motion to accept Resolution was made by Ms. Froelich; second by Ms. Spoor. Roll call: all ayes

IV. Resolution No. 4, 2019 appointing Kyle Winslow as the city's attorney was read in summary by Mr. Winslow. The fees for the city's attorney will increase from \$150 to \$180 per hour. Motion to accept Resolution was made by Ms. Spoor; second by Mr. Elkins. Mr. Shields asked if the agreement had a termination date. Mayor Zembrodt stated she has the ability to terminate at any time. Mr. Winslow stated this type of government agreement is open ended and at the Mayor's discretion.  
Roll call: all ayes

V. Municipal Order No. 2, 2019 appointing Mark Koenig to the Board of Adjustment was read by Mr. Winslow. Motion to accept Order was made by Ms. Spoor; second by Mr. Elkins. Roll call: Ms. Spoor; aye, Ms. Froelich; nay, Mr. Shields; aye, Mr. Theissen; aye, Mr. Elkins; aye, Ms. Deters; aye. Motion carried

VI. Municipal Order No. 3, 2019 amending Tree Board appointments was read by Mr. Winslow. Motion to accept Order was made by Ms. Spoor; second by Mr. Shields. Roll call: all ayes

VII. Executive Order No. 4, 2019 amending the Mayor's appointments to the Council standing committees was read by Mr. Winslow

## VIII. Department Reports

### A. Police Department – Chief Cody Stanley

Council received Chief Stanley's report prior to the meeting.

Ms. Froelich asked if the vehicle sticker fee was being enforced. Chief Stanley stated that tickets are given out if they come across someone without a sticker.

Mr. Theissen asked about the two death investigations that were included in the police report. Chief Stanley stated one was a suicide and one was natural causes.

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

Chief Rigney's monthly report included the following:

- A total of 25 calls for service were received during the month of February. The incidents are broken down by type on the activity report Council received.
- New water line on Wald Court was completed and pressure tested.
- Crews were called to assist Bromley FD with a house fire. The Bromley FD sent a thank you note to the Park Hills FD for their assistance.

Chief Rigney stated the new equipment from the grant money has been ordered. Ms. Spoor read a letter from Notre Dame Academy thanking the Park Hills FD for all their help keeping their campus safe over the past several weeks in light of the Covington Catholic School incident in Washington D.C.

### C. Public Works – Dan VonHandorf

Mr. VonHandorf's report included:

- Greetings Mayor and Council and thank you for another month
- Waiting for old man winter to leave town so we can get started with spring cleanup. The city wide cleanup is scheduled for April 6<sup>th</sup>, volunteers needed.
- The Memorial Day Parade is just around the corner as well and as always, needs a lot of support, help and donations. The tough one is a Grand Marshal so if anyone knows someone they would like to recommend, let the parade committee know or David Schlothauer.
- North Arlington Road project walk through punch list is being scheduled for late this month.
- Met with Duke Energy about power outages in the city. They/we are working on Cleveland (Miller's Pond) line first. The next worse area to be determined by Duke Energy needs residents' permission and cooperation to do this work. In one area we need to take down some fences to get some equipment through. Once the work is complete, fences will be reinstalled. This preventative work is very complicated; have to watch the weather and schedule electrical outages with residents and try to restore power before residents return home from work in the evening.
- I would like Councils' permission to upgrade the 1999 F350 (small truck) to a 2003 F550 lab chassis with 163,000 miles on it for \$14,000. My plan at this time is to make the proposed 550 able to use the western snow plow and salt spreader we already have to fit both trucks and also be able to handle a larger amount of

brine for pretreating. Right now, I can only have 90 gallons; with the 550, I could carry much more; 5-600 gallons. This switch over will also require a few more dollars to complete; approximately \$6,000. I will plan to do as much as I can myself and shop for good used equipment. Even \$15,000 is much better than \$51,000 for a new one. I will then plan to sell the 1999 350 to offset the proposed 550 cost.

- Improvements are being made at 1331 Amsterdam Road

Mayor Zembrodt told Mr. VonHandorf she will look at the budget and the Capital Improvement Plan in regards to his truck request.

D. City Engineer – Jay Bayer

The written report contained the following:

**Projects in construction phase:**

**N. Arlington Road project**

Michels has substantially completed reconstruction of Arlington Road from Dixie Highway to Old State Road. Items remaining will include restoration and any punchlist items. Bayer Becker is reviewing the as-built conditions of the storm sewer and will submit plans to SD1 for the City to receive reimbursement of \$130,000.

**Projects in design phase:**

**Jackson Road Improvement Project**

Geotechnology, Inc. has provided the geotechnical report for the proposed storm sewer draining towards Amsterdam. The report has been provided to SD1. Bayer Becker is working closely with SD1, NKWD and Duke Energy to finalize the design plans for bidding.

**Private projects in the city:**

**Gateway Development (aka Park Pointe)**

A development agreement has been approved by the developer. A geotechnical study has been provided to the city. Updated plans are anticipated to be provided by the developer shortly.

**Audubon Forest Project**

A final plat has been recorded. New houses are under construction. Mr. Bayer has drafted easement language for the Infrastructure Committee and city attorney to review. SD1 will be responsible for maintenance but the city is able to access the area for cleanup.

E. Treasurer's Report – Julie Alig

Motion to approve the February financial reports was made by Ms. Spoor; second by Mr. Shields. Roll call: all ayes

Motion to pay the Road Fund invoices in the amount of \$5,202.50, the Municipal Road Aid invoice in the amount of \$600.00 and the Vehicle Fund invoices in the amount of \$725.00 was made by Ms. Spoor; second by Mr. Theissen. Roll call: all ayes

IX. Committee Reports

A. Financial Oversight Committee

Mr. Theissen stated the committee met last Monday. They went over the preliminary proposed budget. The committee would like to see the city get into a habit of putting money into its Reserve Fund every year. He added that the Mayor talked about looking for money in the budget to possibly acquire a permanent space for meetings. Mayor Zembrodt would also like to keep adding funds to the city's Capital Improvement plan.

#### B. Infrastructure Committee

- The committee met last Monday and is hoping to have bids for the Jackson Road project at the April Business Meeting according to Mr. Elkins. The bids are due by April 5<sup>th</sup> so the next meeting will be moved up so they have time to discuss.
- A payment was received by SD1 as reimbursement for the Audubon Storm Sewer project.
- The committee has asked Bayer Becker to continue plans for a sidewalk on St. Joseph Lane. There is a low flow issue from the top of the street that needs to be addressed with the NKWD. Notice will be given to residents of St. Joseph Lane.
- A notification will be given to residents of Jackson Road regarding a pre-street meeting.
- Lighting along Amsterdam in conjunction with the Park Pointe project was discussed.
- Also working with SD1 on the Audubon Forest easement.
- Mr. Elkins would like a speed study done on Cecelia Avenue before testing speed humps on the street.
- The committee discussed roads in need of repairs according to the pavement analysis that was done.
- Mr. VonHandorf added that the section of pavement at the North Arlington/Dixie intersection will be looked at as part of the project punchlist.

#### C. Communications Committee

- Ms. Froelich stated there were some recommendations from last months' meeting. Ms. Deters suggested that they revise the term 'open communication' in its mission statement.
- Ms. Froelich suggested upcoming newsletters be sent out on May 4<sup>th</sup>, August 10<sup>th</sup> and November 30<sup>th</sup>. The submission deadline for the May 4<sup>th</sup> issue will be April 6<sup>th</sup>.
- Ms. Froelich is currently looking for a newsletter editor.
- Ms. Froelich asked the Mayor if she would approve the committee using the city's email list to ask residents for newsletter submissions. Mayor Zembrodt stated she would look into the emails.
- The committee would also like to have new headshots taken of the city officials and employees; including a group shot of the fire department.

- They would like to clarify who the administrators are for the city's Facebook page and change page type to city instead of community. In addition; change the handles so that it says @parkhillsky.
- Next meeting is this Wednesday

Ms. Spoor is concerned about the possible date of December 1<sup>st</sup> for Christmas in the Park sponsored by the Civic Association. She reminded everyone that this falls on Thanksgiving Day weekend and many people may be out of town.

Ms. Deters went back to the Facebook discussion. She is aware some residents may be concerned about several face book pages that are floating around that may be misrepresenting the voice of the city. She wants to make sure residents know that the Facebook they are looking at via the website is from the city. The city clerk should be the administrator on the page. Mayor Zembrodt stated the page should also include the words 'city government'. Ms. Deters added; have the Facebook page correspond with the website as far as branding, logos, etc.

#### D. Economic Development

Ms. Deters stated the committee's last meeting on February 28<sup>th</sup> had a much better turnout than their first meeting. The committee is working on the following issues:

- Implement a TIF District as a way to nurture development along the Dixie Highway corridor and to entice future business owners. Immanent domain was also discussed about possibly getting a park on the south side of Dixie Highway. Ms. Spoor suggested the committee reach out to Mr. Jim Parsons to attend a future meeting to discuss.
- Highlighting businesses – It was suggested by Mr. Ryan to hold a meet and greet for business owners. Owners would also be able to partner with the Communications Committee to highlight their business in the city's newsletter.
- Z21 will create a major overhaul in the language of the Kenton County zoning structure. This could affect Dixie Highway zoning.

No March meeting due to the Z21 rollout; next meeting in April.

#### E. Parks, Beautification and Recreation

The committee met on February 28<sup>th</sup>. Mr. Theissen stated they had introductions and what each member wanted to accomplish. They also discussed a possible park on the south side of Dixie Highway. Ms. Spoor stated the interior of Trolley Park is torn up due to utility work. They may look at an alternative location for this years' Easter egg hunt. She will check the availability of Notre Dame. The date has been changed to April 20<sup>th</sup> at 10:00 a.m.

Ms. Spoor stated there is a dead tree in Trolley Park they are looking to replace. Creative Image will come tomorrow to do some park cleanup and then again as the parade nears. Ms. Spoor stated they would like to use the Berling donation to do some reforestation. Discussion turned to other green spaces in the city and how they will be maintained in the future. Mr. Shields commented these areas need more than volunteers to keep them maintained properly.

X. Delegation Discussions

A. Telecommunications Board of Northern KY

Mr. Lange stated the Board wants to remind member cities to let them know if they are not receiving their franchise payments. The franchise review committee is working on the franchise renewal. Next meeting; March 20<sup>th</sup>.

B. Code Enforcement Board

Mr. Gray had nothing to report.

C. Kenton County Planning Commission

Mr. Ryan was not present at the meeting.

XI. Old Business

Mayor Zembrodt said she looked through the Amsterdam Valley agreement and saw where the city was receiving numerous things it requested during the Plan Park Hills' meetings.

Ms. Froelich stated she replied to many residents in favor of a multi-use path and a plan for more smaller ponds as opposed to one large pond. She asked if the city could hold a public forum to discuss SD1's design. Mayor Zembrodt replied SD1 are the engineers and will do what needs to be done. The agreement has been signed and doesn't think the dam will be as high as Mr. Daugherty believes. Ms. Froelich would like to discuss these issues further.

Ms. Spoor went over the pros for the city outlined in the agreement. She knows the cons will be the temporary closure of Amsterdam Road while it is being reconstructed and the construction of the detention pond by SD1.

Mr. Shields added Council voted to accept the agreement and does not believe the city should go back and change it. He does not understand the need for a public forum on something that has already been signed. Ms. Froelich would still like to address the path and the pond. Mr. Theissen suggested adding it to a Caucus agenda.

XII. New Business

A. Mayor's Group Meeting is scheduled for Saturday, March 16<sup>th</sup> at 9:00 a.m. at the Kenton County Extension Center. Hosted by the City of Ryland Heights.

Mr. Mike Conway addressed the Mayor and Council. He gave them a brief update on the Tree Board. He stated each year the Tree Board submits an application to the U.S. Arbor Day Foundation. Part of the designation is the Tree City U.S.A. He thanked Ms. Spoor and the rest of Council for adding the funds and resources for the Tree Board to be able to submit the application. This year the city received the Tree City U.S.A. for the ninth year in a row. Last year 79 trees were planted in Park Hills. This year the Board has received 250 nice tree seedlings from the KY Department of Forestry which will be given away on tree day. The date has not been set yet. In addition, the Board also received a Community Improvement Project sponsored by Arbor Day Foundation in cooperation with the National Association of State Forestry U.S. Department of Agriculture; U.S. conference of Mayors and League of Cities. Also received was a Growth Award for Park Hills which he presented to the Mayor and Council. He thanked the previous Mayor, Matt Mattone,

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for spearheading this last year with U.K. who did a complete tree inventory. He believes the Board has a great benchmark to now start a more comprehensive plan for tree planting.

9:10 Motion to adjourn from the Business Meeting made by Ms. Spoor

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Mayor, Kathy Zembrodt

ATTEST:

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City Clerk