

ORDINANCE NO. 1, 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, AMENDING §32.36 OF THE CODE OF ORDINANCES AS IT RELATES TO THE SCHEDULE OF COMMITTEE MEETINGS

WHEREAS, KRS §61.820 requires all meetings of all public agencies to be held at specified times and places which are convenient to the public; and,

WHEREAS, KRS §61.820(2) permits public agencies to provide for a schedule of regular meetings by ordinance, order, resolution, bylaws, or by whatever other means may be required for the conduct of business of that public agency; and,

WHEREAS, the irregularity of committee meetings has required the City Council to amend §32.36 of the Code of Ordinances a number of times over the last few years, which it desires to prevent in the future; and,

WHEREAS, the City Council of the City of Park Hills desires to establish the schedule of its regular committee meetings so as to not require an ordinance every time a meeting schedule is changed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, AS FOLLOWS:

SECTION I

(A) The City Council shall meet for its regular Council meeting on the second Monday of each month, beginning at 7:00 p.m. prevailing time, at ~~the a~~ facility located at ~~1601 Hilton Drive,~~ in Park Hills, Kentucky.

(B) Pursuant to KRS §61.820, Committee meetings of the following Committees shall occur pursuant to a list of dates, times and locations on file in the Office of the City Clerk which shall also be posted on the City's calendar and website within one (1) week prior thereto as follows:

(1) The Economic Development Committee ~~shall meet on the Wednesday following the regularly scheduled caucus meeting. The meeting will begin at 6:30 p.m. and be held at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

(2) The Financial Oversight Committee ~~shall meet on the first Monday of each month. The meeting will begin at 7:00 p.m. and be held at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

(3) The Historic Preservation Committee ~~shall meet on the Tuesday following the regularly scheduled Council meeting. The meeting will begin at~~

~~7:00 p.m. and be held at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

~~(4) The Infrastructure and Public Works Committee shall meet on the Thursday following the regularly scheduled caucus meeting. The meeting will begin at 4:30 p.m. and be held at the offices of Bayer Becker, Inc., 209 Grandview Drive, Fort Mitchell, Kentucky.~~

~~(5) The Parks, Beautification and Recreation Committee shall meet on the Thursday following the regularly scheduled Council meeting. The meeting will begin at 7:00 p.m. and be held at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

~~(6) The Personnel Committee shall meet on the Monday before the regularly scheduled caucus meeting. The meeting will begin at 6:00 p.m. and be held at the facility located at 1601 Hilton Drive, Park Hills, Kentucky.~~

~~(7) The Communications Committee shall meet on the Wednesday following the regularly scheduled Council meeting. The meeting will begin at 7:00 p.m. and be held at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

(C) The City Council shall meet for its regular caucus meeting on the fourth Monday of each month, beginning at 7:00 p.m. prevailing time, at the facility located at in 1601 Hilton Drive, Park Hills, Kentucky.

(D) Special meetings of the City Council may be called by the Mayor or upon written request of a majority of the City Council. In the call, the Mayor or City Council shall designate the purpose, time, and place of the special meeting with sufficient notice for the attendance of City Council members and for compliance with KRS Ch. 61.

(E) At a special meeting, no business may be considered other than that set forth in the designation of purpose.

(F) The minutes of every meeting shall be signed by the person responsible for maintaining city records provided under §32.56 and by the officer presiding at the meeting.

(G) All meetings shall be open to the public.

SECTION II

Any and all Ordinances in conflict herewith shall be, and hereby are, repealed to the extent of said conflict.

SECTION III

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, published and be effective upon publication.

Passed: First reading: February 8, 2021

Passed: Second reading: March 8, 2021

CITY OF PARK HILLS, KENTUCKY

By: _____
Kathy Zembrodt, Mayor

ATTEST:

Julie Alig, City Clerk

PUBLICATION:

ORDINANCE NO. 2, 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY AMENDING SECTIONS 110.21, 110.22 AND 110.23(B) OF CHAPTER 110, GENERAL LICENSING AND TAXES, OF THE CODE OF ORDINANCES REGARDING CITY PAYROLL FEES

BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY:

SECTION I

That Sections 110.21, 110.22 and 110.23(B) of the Code of Ordinances of the City of Park Hills, Kentucky shall be and are hereby amended to read, as follows:

CHAPTER 110 GENERAL LICENSING AND TAXES

CITY PAYROLL FEES

Section 110.21 AMOUNT OF LICENSE FEE.

On or after July 1, ~~2040~~ 2021, every individual, person, association, corporation, company or other entity engaged in any occupation, business, trade, profession, or other activity within the City of Park Hills shall pay to the City of Park Hills a license fee for the privilege of engaging in said activities, which license fee shall be measured by 1.5% of ~~the (first) \$50,000 of~~ all salaries, wages, commissions, tips, gratuities, bonuses, gross receipts, or other compensation earned by every person in the City of Park Hills for work done or services performed or rendered in the City.

Section 110.22 ALTERNATE COMPUTATION OF FEE WORK OUTSIDE THE CITY

~~(A)~~ In cases where salaries, wages, commissions, tips gratuities, bonuses, gross receipts, or other compensation is earned as a result of work done or services performed within and without the city, the license fee required under this subchapter shall be computed by determining upon the oath of the employer, or if required by the License Inspector, upon the oath of the employee, that percentage of the salaries, wages, commissions, tips, gratuities, bonuses, gross receipts, or other compensation earned from the proportion of the work which was done or performed within the city.

~~(B) Provided, however, that the amount of salaries, wages, commissions, tips, gratuities, bonuses, gross receipts, or other compensation used to calculate the license fee shall not exceed \$50,000.~~

Section 110.23(B) EMPLOYERS TO OBTAIN LICENSE AND TO WITHHOLD LICENSE FEE AND FILE RETURNS.

(B) Each employer who employs one or more persons within the City of Park Hills shall deduct from the pay due any employee the amount of the license fee measured by ~~the first \$50,000 of~~ all of the salaries, wages, commissions, tips, gratuities, bonuses, gross receipts, or other compensation due each employee by the employer at the time of payment thereof, or any such sums earned due and accrued after July 1, ~~2006~~ 2021. The payment required to be made on account of such deductions by employers shall be made quarterly to the License Inspector, for the quarterly periods beginning March 31, June 30, September 30 and December 31 of each year, on or before the last day of the month next following the end of each quarterly period.

SECTION II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: March 8, 2021

PASSED: Second reading: April 12, 2021.

Kathy Zembrodt, Mayor

ATTEST:

Julie Alig, City Clerk

PUBLICATION:

ORDINANCE NO. 3, 2021

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF PARK HILLS, KENTUCKY CLOSING AND VACATING
PART OF OLD STATE ROAD IN THE CITY OF PARK
HILLS, KENTON COUNTY, KENTUCKY.**

Whereas, pursuant to KRS 82.405 the City of Park Hills has determined to close part of Old State Road as described in Section I hereof; and,

Whereas, pursuant to KRS 82.405 the City of Park Hills has identified all property owners in or abutting the public way to be closed; and,

Whereas, pursuant to KRS 82.405 the City of Park Hills has provided written Notice of the proposed closings to all property owners identified as in or abutting the portion of the public rights-of-way to be closed; and,

Whereas, pursuant to KRS 82.405 the City of Park Hills has received written notarized Consent to the proposed closing from all property owners in or abutting the portion of the public rights-of-way to be closed and has attached the Consent to vacate notification hereto as Exhibit "C".

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF
PARK HILLS, KENTUCKY, as follows:**

SECTION I

That a portion of Old State Road is hereby closed and vacated without any further action, said public rights-of-way to be closed and vacated being more specifically described as follows:

PART OF OLD STATE ROAD, PARK HILLS, KENTUCKY

GROUP NOS. _____
PIDN: _____

SEE ATTACHED EXHIBIT "A"
(Legal Description)

Also attached hereto and made a part hereof as Exhibit "B" is a copy of a plat showing the part of Old State Road to be vacated.

There is excepted from the provisions of this Ordinance any public utilities running through the dedicated portion of said Old State Road for which the City retains an easement.

In addition, the City shall retain a gated easement of record for future use by emergency vehicles only.

SECTION II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: March 8, 2021

PASSED: Second reading: April 12, 2021

Kathy Zembrodt, Mayor

ATTEST:

Julie Alig, City Clerk

PUBLICATION:



Abercrombie
& Associates, Inc.

Civil Engineering + Surveying

FEBRUARY 3, 2021

LEGAL DESCRIPTION
OLD STATE ROAD RIGHT OF WAY TO BE VACATED
0.1175 ACRES

SITUATE IN THE CITY OF PARK HILLS, KENTON COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 339 OF PARK HILLS SUBDIVISION AS RECORDED IN PLAT NUMBER 463 OF THE KENTON COUNTY, KENTUCKY RECORDS, BEING IN THE NORTHERLY RIGHT OF WAY OF OLD STATE ROAD AND BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH BEARS SOUTH 66°10'59" WEST, 1.52 FEET; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF OLD STATE ROAD, NORTH 44°59'30" EAST, 22.56 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED RIGHT OF WAY VACATION; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY OF OLD STATE ROAD, NORTH 44°59'30" EAST, 116.74 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF OLD STATE ROAD WITH THE PROPOSED SOUTHERLY RIGHT OF WAY OF GATEWAY DRIVE; THENCE LEAVING THE NORTHERLY RIGHT OF WAY OF OLD STATE ROAD, ALONG THE PROPOSED SOUTHERLY RIGHT OF WAY OF GATEWAY DRIVE, THE FOLLOWING TWO COURSES AND DISTANCES, ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 45.00 FEET, A DISTANCE OF 52.29 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 85°40'17" EAST, 49.39 FEET TO A POINT; THENCE NORTH 61°02'33" EAST, 9.16 FEET TO THE INTERSECTION OF THE NORTH EASTERLY EXTENSION OF SOUTHERLY RIGHT OF WAY OF OLD STATE ROAD WITH THE PROPOSED SOUTHERLY RIGHT OF WAY OF GATEWAY DRIVE; THENCE LEAVING THE PROPOSED SOUTHERLY RIGHT OF WAY OF GATEWAY DRIVE, ALONG THE SOUTHERLY RIGHT OF WAY OF OLD STATE ROAD, SOUTH 44°59'30" WEST, 157.72 FEET TO A SET 5/8" X 30" IRON PIN AND CAP (#3001); THENCE LEAVING THE SOUTHERLY RIGHT OF WAY OF OLD STATE ROAD, NORTH 45°00'30" WEST, 40.00 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 0.1175 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS USED IN THIS LEGAL DESCRIPTION ARE RELATIVE TO NAD-83, KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE, BASED ON GPS OBSERVATIONS OF THE KENTON COUNTY, KENTUCKY GEODETIC CONTROL MONUMENTS.

THE ABOVE DESCRIBED REAL ESTATE IS PART OF THE RIGHT OF WAY OF OLD STATE ROAD (PLAT #463). BEING THE RESULT OF A SURVEY AND PLAT DATED 1-15, 2021 MADE BY STEPHEN L. CAHILL, PLS OF ABERCROMBIE & ASSOCIATES, INC, KENTUCKY REGISTERED PROFESSIONAL LAND SURVEYOR #3001.

EXHIBIT B

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	66°34'21"	45.00'	52.29'	49.39'	S 85°40'17" E

LINE TABLE

LINE	LENGTH	BEARING
L1	9.16'	N 61°02'33" E
L2	40.00'	N 45°00'30" W
L3	22.56'	N 44°59'30" E

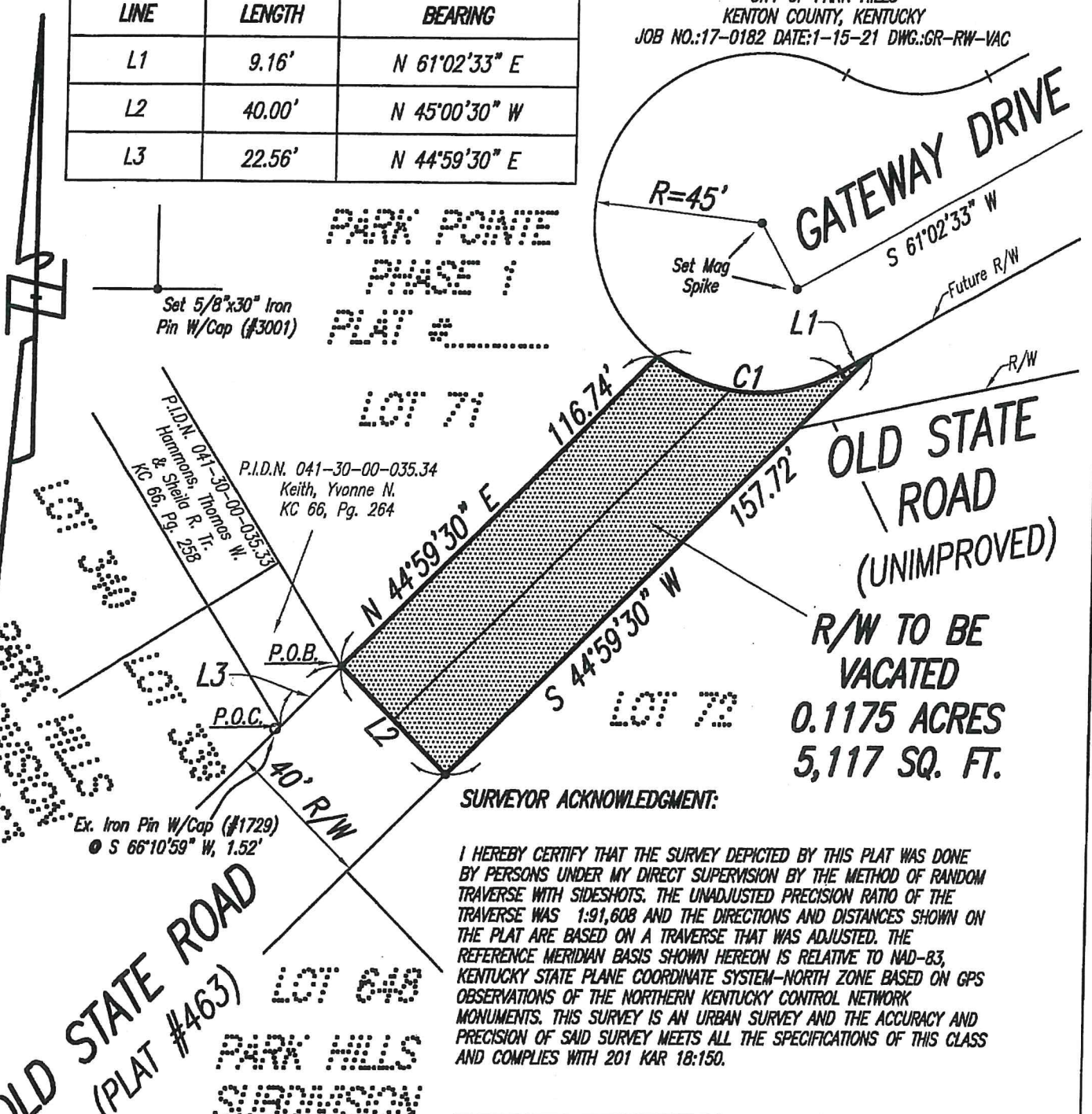
NOTE:

1. THIS PLAT IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAYS OF RECORD.
2. ALL REFERENCES ARE TO THE KENTON COUNTY CLERK'S RECORDS AT COVINGTON, UNLESS OTHERWISE NOTED.

R/W VACATION PLAT

CITY OF PARK HILLS
KENTON COUNTY, KENTUCKY
JOB NO.:17-0182 DATE:1-15-21 DWG.:GR-RW-VAC

NORTH RELATIVE TO NAD-83, KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE BASED ON GPS OBSERVATIONS OF THE KENTON COUNTY, KENTUCKY GEODETIC CONTROL MONUMENTS.



PARK HILLS
PHASE 1
PLAT #.....

LOT 71

LOT 72

OLD STATE ROAD
(UNIMPROVED)
R/W TO BE VACATED
0.1175 ACRES
5,117 SQ. FT.

SURVEYOR ACKNOWLEDGMENT:

I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS. THE UNADJUSTED PRECISION RATIO OF THE TRAVERSE WAS 1:91,608 AND THE DIRECTIONS AND DISTANCES SHOWN ON THE PLAT ARE BASED ON A TRAVERSE THAT WAS ADJUSTED. THE REFERENCE MERIDIAN BASIS SHOWN HEREON IS RELATIVE TO NAD-83, KENTUCKY STATE PLANE COORDINATE SYSTEM-NORTH ZONE BASED ON GPS OBSERVATIONS OF THE NORTHERN KENTUCKY CONTROL NETWORK MONUMENTS. THIS SURVEY IS AN URBAN SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS AND COMPLIES WITH 201 KAR 18:150.

STEPHEN L. CAHILL

KENTUCKY LICENSED PROFESSIONAL LAND SURVEYOR NO. #3001

DATE

OWNER:
CITY OF PARK HILLS, KENTUCKY
1106 AMSTERDAM ROAD
PARK HILLS, KENTUCKY 41011

OWNER/DEVELOPER:
JOSHUA ONE
223 E. 8th ST.
NEWPORT, KENTUCKY 41071

LOT 648
PARK HILLS
SUBDIVISION
PLAT #408



SCALE: 1" = 40'



Abercrombie
& Associates, Inc.

Civil Engineering + Surveying

8111 Chevlot Road, Suite 200 • Cincinnati, Ohio 45247
513-385-5757 • www.abercrombie-associates.com

EXHIBIT "C"

CONSENT TO CLOSING
AND WAIVER/DISCLAIMER OF INTEREST

The undersigned hereby acknowledges receipt of written Notice from the City of Park Hills, Kentucky (the City) proposing to close and vacate an unimproved portion of Old State Road, more particularly described as set forth in the attached which are made a part hereof and incorporated by reference, undertaken by agreement of the parties and in furtherance of the Park Pointe development project.

The undersigned hereby waives and disclaims any interest it may have in this rights-of-way to be closed by virtue of the passage of an Ordinance by the City to such effect. However, thereafter, it is understood that the City will retain a gated easement of record for future use by emergency vehicles only.

The undersigned, as the only abutting property owner thereto, hereby gives written consent to the closing of this unimproved portion of Old State Road rights-of-way of the City.

This Consent and acknowledgment of receipt of Notice is given pursuant to the provisions of KRS 82.405(2)(b) and (c).

The undersigned acknowledges he has full authority to execute this Consent by and on behalf of Park Pointe, LLC, a duly licensed Kentucky Limited Liability Company.



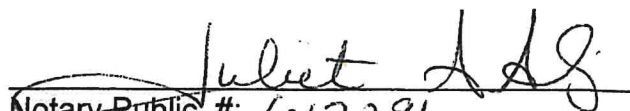
PAUL ZELTWANGER

Manager

Park Pointe, LLC

COMMONWEALTH OF KENTUCKY
COUNTY OF Kenton

Subscribed, sworn and acknowledged to before me, a Notary Public, by Paul Zeltwanger, this 26 day of February, 2021.



Notary Public #: 617291

State at Large, KY

My Commission Expires: 2/23/23

ORDINANCE NO. 4, 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY AMENDING CHAPTER 12, ATTENDANCE AND LEAVE, SECTION 5, VACATION LEAVE, SUBSECTION (C), RATE OF LEAVE ACCRUAL, OF THE CITY OF PARK HILLS PERSONNEL POLICIES

BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY:

That Chapter 12, Section 5(C) of the City of Park Hills Personnel Policies, shall be and are hereby amended to read, as follows:

CHAPTER 12 ATTENDANCE AND LEAVE

SECTION 5 – Vacation Leave

(C) Rate of Leave Accrual—Full time employees in the City's service accrue annual leave at the following rate (a week is defined as 40 hours):

<u>Continuous Service Period at Anniversary Date</u>	<u>Earned Vacation</u>
After six (6) months of service	One (1) week of vacation
After one (1) year of service	Two (2) weeks of vacation
After five (5) years of service	Three (3) <u>Four (4)</u> weeks of vacation
After fifteen (15) years of service	Four (4) weeks of vacation

Vacation leave is based on the City's fiscal year. Vacation Leave accrues at a biweekly rate.

SECTION II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published and effective upon publication.

PASSED: First reading: March 8, 2021

PASSED: Second reading: April 12, 2021.

Kathy Zembrodt, Mayor

ATTEST:

Julie Alig, City Clerk

PUBLICATION: