

THE PARK HILLS CITY COUNCIL HELD A SPECIAL BUSINESS MEETING ON MONDAY, JUNE 7, 2021 AT 7:00 P.M. DUE TO COVID-19, THE CITY HELD A VIRTUAL MEETING WHICH STREAMED LIVE THROUGH TBNK WITH MAYOR, KATHY ZEMBRODT PRESIDING.

COUNCILMEMBERS PRESENT: PAM SPOOR, SARAH FROELICH, JOE SHIELDS, STEVE ELKINS, TONY DARIN AND DR. KEVIN DOWNES.

ALSO PRESENT: CITY ATTORNEY, DANIEL BRAUN AND CITY ENGINEER, JAY BAYER

Call to Order

Pledge of Allegiance

Roll Call

Motion to approve the May 10 and May 24, 2021 minutes, with amendments, was made by Ms. Spoor; second by Ms. Froelich. Roll call: all ayes

Mr. Elkins abstained from the May 10th vote as he was absent from that meeting.

I. Petitioner

Dr. Joe Daugherty was present to discuss the city's business tax. He believes it would be appropriate for the city to make the tax structure closer to that of Ft. Mitchell and Ft. Wright as they are similar size cities. Look to lower taxes on businesses less than \$1.3 million and raise taxes on businesses that have more than \$1.3 million in receipts. He believes the current tax structure is punishing to smaller businesses.

Mayor Zembrodt replied that this is something Council has been discussing. She has requested past years' business tax numbers from the County. Once these are received, the Financial Oversight Committee will discuss and look for a way to make it fair to all businesses.

II. Second Reading; Ordinance No. 5, 2021 establishing Rumpke fees was read in summary by Attorney Braun. Motion to adopt Ordinance was made by Ms. Spoor; second by Dr. Downes. Roll call: all ayes

III. Second Reading; Ordinance No. 6, 2021 amending the 2020-2021 budget was read in summary by Attorney Braun. Mayor Zembrodt went over the minor changes from the last reading. Motion to adopt Ordinance was made by Mr. Shields; second by Ms. Spoor. Roll call: all ayes

IV. Second Reading; Ordinance No. 7, 2021; 2021-2022 proposed budget, was read in summary by Attorney Braun. Motion to adopt Ordinance was made by Dr. Downes; second by Ms. Spoor. Mayor Zembrodt went over some of the changes since the first reading. Mr. Shields asked how the city will deal with the Amsterdam Road project costs. The Mayor replied it will not be implemented in this years' budget. She also stated the city has a reserve fund as well as a good cash fund. Dr. Downes believes it would be a good idea to set aside some money for the project. Ms. Spoor suggested transferring some from the General Fund into the Capital Improvement Fund to earmark for the project. Mayor Zembrodt suggested the creation of an 'Amsterdam Road Grant Fund'. Ms.

Froelich believes it would make more sense to make this part of the Capital Improvement Plan. She would also like to know how the plan is going.

Roll call: Ms. Spoor; aye, Ms. Froelich; nay, Mr. Shields; aye, Mr. Elkins; aye, Mr. Darin; aye, Dr. Downes; aye. Motion carried.

V. Second Reading; Ordinance No. 8, 2021; Interlocal Agreement between the City and Kenton County Fiscal Court regarding Code Enforcement was read in summary by Attorney Braun. Motion to adopt Ordinance was made by Ms. Spoor; second by Dr. Downes.

Ms. Spoor did point out that she is not comfortable with the provisions in Section 5: Duration and Termination. She believes it is unclear. Mr. Braun stated it could be modified but that it would delay the vote. Ms. Spoor would like more clarification before passing.

Roll call: Ms. Spoor; nay, Ms. Froelich; nay, Mr. Elkins; nay, Mr. Shields; nay, Mr. Darin; aye, Dr. Downes; nay. Motion did not carry. Ms. Spoor will contact Ms. Reddy at the PDS with Council's request.

VI. Municipal Order No. 7, 2021; Agreement between the City of Ft. Wright and the City of Park Hills and for EMS service was read in summary by Attorney Braun. Motion to adopt Order was made by Ms. Spoor; second by Mr. Elkins. Ms. Froelich clarified that this year's cost is \$91,000. He stated that if the cost continues to rise every year, the city should consider bidding the service out to other municipalities. Mayor Zembrodt stated there will be quarterly meetings with Ft. Wright to keep things in check.

Roll call: all ayes

VII. Municipal Order No. 8, 2021 authorizing application with the PDSKC for consideration and approval of text amendment to include package liquor, malt beverage and wine stores, excluding drive-thrus, as a permitted use within the HC (Highway Commercial) Zone of the city was read in summary by Attorney Braun. Motion to adopt Order was made by Mr. Shields; second by Dr. Downes.

Discussion followed regarding types of beverages and building design. Ms. Froelich stated the drawings Council received were not the originals. Ms. Alig will attach the original drawings to the Order.

Dr. Downes asked about tobacco sales. Mr. Mike Duncan replied there are no restrictions for tobacco product sales.

Roll call: all ayes

VIII. Department Reports

A. Police Department – Chief Cody Stanley

Dr. Downes asked Chief Stanley; if there is a burglary, does the department reach out to neighbors? Chief Stanley replied residents are contacted via Reach Alert and email. Mr. Darin asked if there was any spillover of crime from Devou. Chief Stanley replied we could have some petty burglaries but not aware of anything major.

B. Fire Department – Chief John S. Rigney
Chief Rigney’s monthly report contained the following:

- A total of 23 calls were received during the month of May. The incidents are broken down by type on the Activity report.
- FD crews will once again resume conduction annual fire inspections of all businesses and multi-family dwellings of 4 or more units beginning in June.
- City building emergency generator experienced a mechanical issue during a recent power outage and will require repairs.
- Firefighter Josh Schultz has been enrolled in the SFRT National Registry EMT class.
- I am pleased to report that the ISO has completed their evaluation of our department and we have maintained a Class 4 rating.

Dr. Downes asked if the Chief had any more calls regarding fire pits. Chief Rigney stated he has not. Ms. Froelich asked Chief Rigney to describe the ISO class rating.

C. Public Works – Dan VonHandorf

- Greetings Mayor and Council and thank you for another month.
- I have to start off with a big Thank You to all who participated in this years’ Memorial Day festivities; very challenging once again. Hopefully back to the real/live and in person event next year. Most of all, we remember and honor all of our veterans.
- Mayor Zembrodt and I met with Judge Exec. Kris Knochelman and Nick from Kenton County a couple weeks ago down on Amsterdam between Altavia and Sleepy Hollow. Making plans to make some improvements to the pavement conditions down there. Between COVID -19, the holiday and the weather, we haven’t been able yet but will asap.
- Also, making plans for sidewalk improvements this year as well. We (Matt Deye and I) were able to raise several blocks on Old State behind CCH where you see the caution tape, with 2 back hoes, and now I have to support them better so they stay in place.
- Thanks. Any questions?

Mayor Zembrodt asked if there was any update on the Hamilton Road sidewalk. She would like to construct the sidewalk over the sewer. Mr. VonHandorf replied he will talk with Jay regarding water drainage issues with the sidewalk.

Ms. Spoor asked if she could get 5 yards of mulch for some areas in the park. Mr. VonHandorf stated that with the weather, there is a problem spreading it around. Ms. Spoor asked if it could just be put by the Trolley sign for now.

Mayor Zembrodt asked if Chief Stanley would put one of the extra speed bumps on Amsterdam Road in front of Trolley Park. She will give some thought as to where to place the other four. Ms. Froelich asked if this is an approved use for a speed bump as they are typically used on private property. Mr. Braun reminded Council of a memo he had sent out regarding speed humps/bumps. He said they are frowned upon at

intersections and asked that the city proceed with caution. Mayor Zembrodt then advised Chief Stanley to hold off for now.

Ms. Spoor asked Mr. VonHandorf to please remove the dead Red Bud tree next to Trolley Park.

Ms. Froelich stated she drove to the end of Mt. Allen Road and noticed it was very tight to get around the turn. Mayor Zembrodt stated she had emailed Mr. Morris, Tapestry Ridge, and will let everyone know when she hears back. Ms. Froelich stated the trailer is still parked there.

D. City Engineer – Jay Bayer

The written report contained the following:

Projects in design phase:

St. Joseph Lane Sidewalk Project

Updated construction plans and Right of Way plans have been provided by the city to KYTC for review and approval. KYTC anticipates approval of the Right of Way Funds by the FHWA (Federal Highway Administration) in May or June. Paul Michels Construction is continuing construction to replace a portion of the water main on the street.

Mr. Bayer stated he would he would continue to press the Highway Dept.

Projects in construction phase:

Jackson Road Improvement Project

Michels Construction is the contractor for the overall project. The project is primarily complete. A punchlist walk occurred on 9/25/20 and the punchlist was finalized and forwarded to the contractor.

Mayor Zembrodt stated she received a call from Dennis Finke and he stated there was nothing major left to do. 1021 Jackson needs some topsoil and seed and 1028 could use a little TLC as well.

Private projects in the city:

Gateway Development (aka Park Pointe)

The city performed a punchlist walk for the Amsterdam portion of the project on 1/12/2021. The contractors are working thru the items. The city has a bond in place until the puchlist work is completed. A plat is being prepared by the developer to dedicate the proposed right of way along Amsterdam.

Mr. Bayer added; the city still needs access off of Old State Road. Mayor Zembrodt has a call into Mr. Zeltwanger regarding that issue and the maintenance of the hillside.

Our Lady of Lourdes Grotto

Construction plans have been submitted to the city for review of the proposed Grotto. Review comments have been provided by the city to PDS and the applicant.

Ms. Froelich asked if the road will be repaved after the sidewalk is put in on St. Joseph Lane. Mayor Zembrodt replied it would not since the road was done not too long ago.

The contractors are also responsible for putting the road back to its original condition.

Ms. Froelich replied it may be a good street to put permanent speed humps on. Ms. Spoor would like the city to have a protocol regarding speed humps to be uniform throughout the city. Mayor Zembrodt suggested sending residents on the street a letter asking them to

weigh in. Dr. Downes would like to get the speed data first. Chief Stanley stated all speed studies are posted to OpenGov. Mr. Elkins will work on this with the Infrastructure Committee. Ms. Froelich stated she is happy to provide the draft Ordinance she prepared previously regarding the placement of speed humps/bumps.

Discussion turned to the Grotto. Mr. Bayer stated if the contractors follow the plan, it should be fine. He does, however, recommend fixing the water issue near the stairs. Dr. Downes added the stairs are unstable. Mayor Zembrodt said the city repaired sections of the stairs in the past and that it was very expensive. Dr. Downes stated they would be there doing construction anyway so why not repair the steps at the same time? Mr. VonHandorf will work with the contractor.

E. Treasurer's Report – Julie Alig

Motion to accept the May financial report was made by Ms. Froelich; second by Dr. Downes. Roll call: all ayes

Motion to pay Municipal Road Aid fund invoice in the amount of \$45.00, Vehicle Fee fund invoices in the amount of \$1,267.50 and the Road fund invoice in the amount of \$46,488.01 (Jackson Road retainage) was made by Ms. Spoor; second by Mr. Elkins. Roll call: all ayes

IX. Committee Discussions

A. Parks, Beautification and Recreation

Ms. Spoor relayed to Council that a community garden has been started in the grassy area across from Trolley Park. There are 5 raised bed planters being filled with soil and compost. The beds will be available to everyone in the city. Ms. Jessica Marvin will manage the area and is happy to have volunteers. Please contact the city clerk if you are interested. One bed will be devoted to herbs, one for cutting flowers and the other three for vegetables.

Ms. Froelich asked if it was paid for out of the Parks expense line. Mayor Zembrodt replied it was. Ms. Froelich then stated the community is usually allowed to plant. Ms. Spoor stated this year, due to the late start; they will grow and make available to the public. Ms. Froelich asked how residents will get produce. Ms. Spoor does not anticipate charging but will defer to Jessica and then have them contact the city clerk.

Mr. Shields stated he will ask his wife to help as she is good at gardening.

B. Tree Board

Ms. Froelich said at the last meeting she called their new project the Street-A-Tree. It is actually Street-A-Year. The Tree Board will select a street each year and help plant trees on that street. The Board is also looking to add two new prospective members. The next meeting is scheduled for July 1st.

X. Old Business – None

XI. New Business – None

8:44 Motion to adjourn was made by Mr. Elkins; second by Dr. Downes

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Mayor, Kathy Zembrodt

ATTEST:

City Clerk