

THE PARK HILLS CITY COUNCIL HELD A SPECIAL BUSINESS MEETING ON MONDAY, NOVEMBER 8, 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

Mayor Zembrodt asked Ms. Spoor to say a few words about Missy Worstell who recently passed away. Ms. Worstell was the Mayor of Park Hills in the 90's and was instrumental in getting our road tax passed. Ms. Spoor went on to say that Missy passed away on October 22nd at her residence. She was born in Norfolk, VA and attended Highland Heights High School. Missy married Craig Worstell and were long time residents of Emerson Road. She was only the second female stockbroker in Cincinnati. She served on City Council from 1990-1991 and as Mayor from 1991-1998. Missy did some very hard but much need things for the city. She passed the original road tax and had the entire city milled and overlaid. She loved to travel and garden She loved her dachshunds and her husband. Ms. Spoor would like to extend the city's condolences to her husband Craig.

Motion to approve the October 11, 2021 minutes, as amended, was made by Ms. Spoor; second by Mr. Elkins. Roll call: all ayes

I. Second Reading; Ordinance No. 13, 2021 regarding a Cable Television Franchise Agreement was read in summary by Attorney Braun.

Ms. Froelich asked to clarify a couple things. She asked, if this Ordinance passes, can the city expect to bring in the budgeted \$28,000. Mayor Zembrodt replied that the city is receiving 3% and that \$4,931.00 was just received from Cincinnati Bell and Charter. The city receives a similar amount every quarter. Ms. Spoor said this was discussed in the Financial Oversight meeting and that the budgeted amount is not a fixed number. It will depend on the number of users. Ms. Froelich wants to make sure the city was not missing something within the Ordinance that we needed to include to make sure the amount that we are expecting is part of this, at least percentage wise.

Mayor Zembrodt asked to table the vote until Mr. Lange is able to rejoin the meeting.

II. Second Reading; Ordinance No. 14, 2021 giving signage posting authority was read in summary by Attorney Braun. Motion to adopt Ordinance was made by Ms. Spoor; second by Dr. Downes. Roll call: all ayes Ms. Froelich stated, for the record, that signs can only be added with Council's approval.

III. Second Reading; Ordinance No. 15, 2021 amending Code of Ordinances concerning stop streets was read in summary by Attorney Braun. Motion to adopt Ordinance was made by Mr. Shields; second by Mr. Elkins. Roll call: all ayes

Mr. Lange logged back into the meeting. Ms. Froelich repeated her question regarding the funds. Mr. Lange replied yes, the city will continue to receive their 3% franchise. Ms. Froelich asked how that can be confirmed. Ms. Spoor replied that the percentage number has not changed.

Ms. Froelich thanked Mr. Lange for checking Park Hills' coverage and letting her know that the entire city is covered. Mr. Shields asked if Mr. Lange would send information to all of Council in the future. Mr. Lange replied he would. Mr. Lange also clarified that all of the city is covered under at least one provider and believes both cable companies offer coverage.

Roll call: all ayes

IV. First Reading; Ordinance No. 16, 2021 amending the definition of city and occupational license fee rate was read in summary by Attorney Braun.

V. Municipal Order No 13, 2021 re-appointing Richard "Dick" Lange as representative to the TBNK was read in summary by Attorney Braun. Motion to pass Order was made by Dr. Downes; second by Ms. Spoor. Roll call: all ayes
Mayor Zembrodt thanked Mr. Lange for his continued service.

VI. Department Reports

A. Police Department – Chief Cody Stanley

Chief Stanley's October report contained the following:

Reports: 6 (1 traffic accident)

Citations: 81 (some of the traffic and criminal are on the same citation)

- 5 Warrant Arrests
- 73 Traffic citations (1 DUI Arrest & 70 Federal Grant Citations)
- 3 Criminal Arrests
- City Citations: 8 (5 paid/voided)

Additional:

801 calls for service less 141 traffic stops, 411 Vacation/Business/ Special Area Checks, 16 Special Detail we had a total of 133 police related calls.

Call Review:

3 traffic citations on Dixie Highway, 0 on St. Joseph Lane and 2 (4 warrant arrests of same individual) arrests on Elberta Circle.

Ms. Froelich asked if there was any feedback on the speed bump by Trolley Park. The city clerk replied that she has not had any. Ms. Spoor stated that several people thanked her. Dr. Downes said he noticed drivers slowing down. Mr. Darin agreed. Mr. Elkins believes it is effective and would like to discuss further at the next Infrastructure meeting. Chief Stanley stated the speed bump seems to be helping and will get a report together for the next 2 months' stats.

Chief Rigney was not audible. Moved on to the Public Works report

B. Public Works – Daniel VonHandorf

- Greetings Mayor and Council and thank you for another month.
- Just a FYI, I called the truck body company first thing this morning to check to see what the status is on the part for the new truck. He will drop it off tomorrow for outfitting.
- Getting the dump truck (2011) ready for leaves and snow season. It's hard to believe that it is almost mid-November and waiting for the leaves to start falling.
- I did work on some sidewalk improvements throughout the city. Old State, Terrace and Amsterdam are the most heavily used so that is my first target area.
- Just a reminder to residents who use the leaf pick up service to get the leaves as close to the curb as possible but not in the street please.

C. Fire Department – Chief John S. Rigney

Chief Rigney's monthly report contained the following:

- A total of 34 calls were received during the month of November. The incidents are broken down by type on the Activity report.
- FD members conducted public education at the Julie Center and St. Agnes grade school.
- Annual hose testing and equipment inspections have begun.
- Park Hills and Ft. Wright crews participated in 3 days of live fire training at the Kenton County training center.
- The 2003 Seagrave pumper has been acquired from the Village of Mariemont Ohio and is awaiting modifications and upgrades.
- FD has received several calls for CO detectors activated with the cooler temperatures.

D. City Engineer – Jay Bayer

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) shortly. KYTC has provided a list of additional requested items for the required temporary easements, which have been provided by the city. The Mayor is the Point of Contact (POC) with KYTC to finalize the easements. Mr. Bayer stated he received an email this week from the state. District 6 is supposed to be acquiring the right of way. He still hopes to be able to bid in the spring.

Private projects in the city:

Gateway Development (aka Park Pointe)

The city of Park Hills 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 punchlist work is completed. A plat is being prepared by the developer to dedicate the proposed right of way along Amsterdam. A scarp, or minor slide, has occurred during the construction of the regional detention basin. The area was restored recently with finish grading and seeding.

Mayor Zembrodt said Mr. Zeltwanger told her it is hard to get laborers to finish the work. She also stated that the contractor for Tapestry Ridge said they will put another coat on at the end of Mt. Allen Road. Mayor Zembrodt would also like curbing put in to prevent any water issues.

Ms. Froelich thought the sidewalk project would be bid in January. Mr. Bayer replied that the Highway Department will not approve the work until the right of way and easements are approved. Mayor Zembrodt also shared that the Transportation Cabinet is hoping to get things ready in time to begin work in March.

E. Treasurer's Report – Julie Alig

Dr. Downes asked if the city is earmarking the \$400,000 for the Amsterdam Road project. Mayor Zembrodt replied that there is an increase in the general reserve fund and that we are almost to our goal. Mayor Zembrodt stated that a line item could be added for this, but she does not want to open a new account. Dr. Downes would also like to earmark funds for a new city hall. The Mayor wants to finish the Capital Improvement Plan showing where money is being put away for the city's needs.

Ms. Froelich asked if the camera maintenance and Mobile Comm radio service under Contracts were new. The Mayor replied they are and that Chief Stanley is looking into grants on body cameras and maintenance.

Ms. Froelich reminded everyone there is \$276,000 in the accounts receivable fund due from the Road Tax fund. Ms. Spoor stated that this is an interfund transaction and no money is owed to a third party. Ms. Froelich stated she understands the concept but feels there is a better way to do this. The Mayor stated that it will be looked at for next year's budget. She will also call Ms. Froelich to discuss.

Motion to approve the October financial reports was made by Dr. Downes; second by Mr. Shields. Roll call: all ayes

Motion to pay the Vehicle Fee fund invoices in the amount of \$975.00 was made by Ms. Spoor; second by Mr. Shields. Roll call: all ayes

VII. Committee Discussions

A. Infrastructure Committee – Steve Elkins

Mr. Elkins stated the committee met last week to discuss mill and overlay plans. The mill and overlay on Emerson Road will take place next year as Michels ran into some issues. They are also looking to do Morgan Ct. They also discussed the St. Joseph Lane sidewalk and a sidewalk on Arlington from Old State to Hamilton. Bayer Becker will do a field study this winter for bidding in the spring.

They also talked about project funding. Discussion took place regarding the safety of Cleveland Avenue. They are looking at possibly removing the high curbs and replacing them with rolled curbs to make more room.

Mayor Zembrodt stated there was a street meeting regarding upper Jackson Road. The residents do not want one-way streets or road widening. The Mayor asked Council to think about some solutions.

The committee also discussed the deep fix and parking on Amsterdam Road. They also talked about traffic calming and speed bumps. They are putting together a committee to look at all the city's hot spots.

Ms. Spoor said she has been working with Mike Conway and the Tree Board about doing some new signage to the city's entrance points. The planter at the corner of Sleepy Hollow and Amsterdam has been hit several times. She would like to replace it with a stone monument sign to be taken out of the parks budget. Mr. Elkins will send out some tentative dates to get together and do a walk/drive through of the city.

B. Tree Board

Mayor Zembrodt said Mike Conway, Tree Board chair, is updating the website to make the Tree Board more prominent. Dr. Downes asked about being able to pay for trees online. The Mayor will discuss this with the city clerk.

Mayor Zembrodt also asked if Ms. Froelich could look into a city app. Ms. Froelich suggested collaborating with the county and other cities and Mayor Zembrodt said she would ask about apps at the next Mayor's meeting. Ms. Froelich also suggested working with our website coordinator to incorporate on line payments and apps.

Ms. Froelich asked when the next Parks meeting is scheduled as residents have been inquiring about the hillside by Hamilton Road. Some of the residents are not happy with the current landscaping. The Mayor stated that this area will be addressed in the spring. Ms. Spoor stated that the tulips were planted on Saturday. The clearing of invasive species on the Audubon land is ongoing. She would like a small bridge over the creek in that area at the city's cost. She is working with Tanner Yess with Groundworks. The city was also selected for a grant by Duke.

C. Joint Code Enforcement Board – David Gray

Mr. Gray stated the meeting was postponed until next month. The Mayor wants to make sure there is progress being made on the Amsterdam property. Mr. Gray replied they have until the December meeting to comply.

Mr. Lange, TBNK representative, stated their October meeting was also cancelled and he has no report.

VIII. Old Business

Mayor Zembrodt included a draft golf cart Ordinance in Council's packets to review. Ms. Spoor believes Council needs more time to research and have more discussion. She would like to reserve discussion until further research is done. Dr. Downes asked for public input. Mr. Braun replied that this is not a legal discussion to allow passage of the Ordinance. It can be narrowed down to particular streets. Discussion followed regarding crossing Dixie Highway and riding the carts on the highway.

Ms. Froelich asked to give a report from the Z21 meeting:

All members and alternates of the Z21 working groups—Mayor Zembrodt, council members Spoor, Shields, and I—met virtually with Planning Development Services Planning Manager Andy Videkovich on Tuesday, November 2 to review and discuss Z21 Project efforts for Park Hills.

As a refresher, Z21 is a multi-year project to review and update the Kenton County zoning code. The existing zoning code has served zoning infrastructure in Kenton County for over 30 years.

Much has changed since the 1980s, and zoning deficiencies have become apparent. The goals of the project include crafting more user and business-friendly zoning that:

- Avoids legal pitfalls.
- Provides efficient, flexible, and simple procedures that result in more predictable decisions.
- Protects our communities' environmental, cultural, and historical resources.
- Reduces the number of zoning nonconformities.
- Simplifies and consolidates zoning districts.
- and
- Facilitates compatible infill development.

We are currently in the third phase of the project, during which PDS works with representatives—or working groups—from each community in the county to tailor the zoning code to meet the needs of each community.

The discussion on November 2nd was the second meeting of several that are estimated to take place for a year. At the end of this process, the new code will be presented to city council and the council will have the opportunity to vote on all of these changes.

In a follow-up to our last report, at the beginning of the discussion, Mr. Videkovich confirmed that it was decided that the largest amount of open space for a planned unit development—or PUD—is 30 percent. This had been a question during our last council meeting.

The primary discussion in the Nov. 2 meeting was about residential zoning code based on use.

We reviewed PDS's proposal to adopt three types of residential zoning in Park Hills. Discussion included consideration of converting some properties—primarily the Our Lady of Lourdes and city building properties—to an institutional zone.

Since our current institutional zone permits uses such as funeral homes and medical centers among other uses, it was decided that the permitted and conditional uses for institutional zoning require too much alteration for this code to work for these properties.

Discussion continued, to include a review of residential use types that had been consolidated into two residential zoning types—called residential conventional subdivision and residential compact subdivision.

It was decided that each of these types was not specific enough for the types of properties within them. Therefore, it was recommended that four zones more appropriately meet the needs of these zones:

- Residential Conventional Subdivision, or R-CVS
- Residential Large Lot Subdivision, or R-LLS
- Residential Compact Subdivision, or R-CPS
- And Residential Urban, or R-U

Mr. Videkovich and PDS will review the outcome of our discussion and present the new types for the working group to review at the next meeting. The discussion in the next meeting will also include residential multi-family and permitted uses in the residential zones.

The next working group meeting is scheduled for Tuesday, November 16. We will continue to report on the discussion and outcome of each meeting as we continue through the process.

Mayor Zembrodt went over a report from a structural engineer regarding the city building. The conclusion of the report shows that there is no supporting steel to support a second floor. The garage in the back was built in the 1980's and has a 2nd floor. It is not buildable and would have to be completely torn down and rebuilt. The cost, including temporarily moving the fire department, would exceed the cost of building a new building. Any new space also needs to be ADA accessible.

Ms. Froelich reminded everyone that luminary night in Park Hills is on December 12th.

Mr. Darin added that he has talked with a neighbor who has a golf cart and there are a number of people in support of them. He supports an Ordinance being adopted and would be happy to get a petition together.

VII. New Business – None

9:01 Motion to adjourn meeting was made by Mr. Shields. Mr. Braun asked to speak with the Mayor and Mr. Bayer after adjournment.

Mayor, Kathy Zembrodt

ATTEST:

City Clerk

