

ORDINANCE NO. 1, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, SUBJECT TO RATIFICATION BY THE VOTERS, TO REDUCE THE ANNUAL LEVY OF THE PREVIOUSLY ASSESSED ANNUAL SPECIAL AD VALOREM TAX ENACTED BY PAST ORDINANCE FOR THE MAINTENANCE, REPAIR, OVERLAY AND REPLACEMENT OF PUBLIC STREETS AND ROADWAYS WITHIN THE CITY, TO FUND THE CITY'S STREET REPAIR FUND

WHEREAS, the City of Park Hills, Kentucky, pursuant to Section 33.071 of the Code of Ordinances, has established a Street Repair Fund, as permitted by KRS 65.125, which has been in existence for several years; and,

WHEREAS, Section 33.073 of the Code of Ordinances allows for reductions in the amount of the special ad valorem tax amount to be paid for funding such purpose; and,

WHEREAS, in keeping with the mandatory provisions of KRS 83A.060 in order to initiate the same,

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

SECTION I

That the City of Park Hills, Kentucky hereby desires to reduce the annual levy of its special ad valorem tax rate to fund its Street Repair Fund as permitted by KRS 65.125 for the maintenance, repair, overlay and replacement of its public street and roadways within the City, enacted by prior Ordinance and set forth in Section 33.071 of the Code of Ordinances, from the current rate of \$1.55 per \$1,000 upon the assessed valuation on all taxable property within the City, established as of January 1st immediately preceding the fiscal year, to that of \$1.20 per \$1000 upon the assessed valuation of all taxable property within the City.

SECTION II

That in keeping with the requirements set forth in KRS 83A.120 in order to accomplish the same, this Ordinance shall first be read before Council as its required first reading prior to the deadline of the 2nd Tuesday in August (being August 13, 2024) and thereafter immediately submit this Ordinance to the Kenton County Clerk before such date for review, approval and placement upon the next general election ballot in November of 2024. Should a simple majority of the voters within the City vote to approve the same, this Ordinance shall be read for the required second reading before Council to finalize adoption and enactment thereby reducing the rate to that set forth in Section I above to take effect as of January 1, 2026.

SECTION III

In accordance with the provisions of KRS 83A.120, the following language with regard hereto shall be submitted to the Kenton County Clerk for submission to the voters on the November, 2024 ballot as follows:

“Are you in favor of the action taken by the City Council of the City of Park Hills, Kentucky to reduce the existing annual levy of its special ad valorem tax rate assessment for funding the City’s Street Repair Fund from its current tax rate of \$1.55 per \$1,000 of assessed valuation of all property located within the City to that of \$1.20 per \$1000 of assessed valuation to be effective January 1, 2026? Yes_____ No_____.”

SECTION IV

All prior Ordinances or provisions in effect with regard hereto and in conflict herewith shall be and are hereby deemed as repealed and replaced hereby.

SECTION V

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

PASSED: 1st Reading: April 8, 2024

PASSED: 2nd Reading: May 13, 2024

KATHY ZEMBRODT, MAYOR

ATTEST:

JULIE ALIG, CITY CLERK

ORDINANCE NO. 2, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY
AMENDING SECTION 32.36 OF THE CODE OF ORDINANCES REGARDING THE
LOCATION OF MEETINGS

WHEREAS, various of the locations set forth where City Council and/or its Committee may physically meet are not currently utilized or no longer apply; and,

WHEREAS, City Council and its Committees (if not virtually) have been physically meeting in other locations within the City as published on its Agenda or meetings calendar; and,

WHEREAS, the Meetings Section of the Code of Ordinances requires updating with regard to City Council and Committee meeting locations as result thereof,

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

SECTION I

That Section 32.36 of the Code of Ordinances shall be and is hereby amended to read, as follows:

SEC. 32.36 MEETINGS.

(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 ~~facility located at 1601 Hilton Drive, Park Hills, Kentucky~~ location designated by and within the City and set forth on its published agenda until such time that it may find a suitable or permanent location.

~~(B) Committee meetings shall occur 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, 10106 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. at the Park Hills City Building, 1106 Amsterdam Road, Park Hills, Kentucky.~~

~~(4) The Infrastructure and Public Works Committee shall meet on the Tuesday 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 Park Hills City Building, 1006 Amsterdam Road, 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.~~

(B) The following City Committees shall meet as determined by the Chairperson on an as needed basis at the date, time and location set forth on the City's meeting calendar and posted on the City's website.

- (1) Economic Development Committee
- (2) Financial Oversight Committee
- (3) Historic Preservation Committee
- (4) Infrastructure and Public Works Committee
- (5) Parks, Beautification and Recreation Committee
- (6) Communications Committee
- (7) Tree Board.

(8) All Council regular, caucus and special meetings and all Committee meetings (if not conducted virtually) shall physically take place at the Park Hills City Building located at 1106 Amsterdam Road, Park Hills, Kentucky or at the location designated by the City on its published Agenda or the City's meetings calendar, all until such time a suitable or permanent location may be had.

(9) With proper notice provided beforehand, any meeting of City Council or any Committee meeting may be conducted virtually to allow public observance in accordance with the provisions of KRS 61.826 and the Kentucky Open Meetings Act.

(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 1601 Hilton Drive, Park Hills, Kentucky,~~

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

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

(F) If required or undertaken, the minutes of every meeting shall be signed by the person responsible for maintaining City records provided under Section 32.56 and the officer presiding at the meeting.

(G) The Kentucky Open Meetings Act does not require the City to allow the public to be heard or participate at any of its meetings unless public comment is provided for as part of the agenda or if such person is otherwise permitted and recognized to do so by the Mayor at meetings of Council or by the Chairperson at meetings of any of the Committees.

SECTION II

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

PASSED: 1st Reading: April 8, 2024

PASSED: 2nd Reading: May 13, 2024

KATHY ZEMBRODT, MAYOR

ATTEST:

JULIE ALIG, CITY CLERK

PH MEETINGS ORDINANCE CHANGES

ORDINANCE NO. 3, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY CONCERNING THE DEISGNATION AND MARKING OF LANDMARK TREES FOR PROTECTION AND PRESERVATION, CREATING CRITERIA FOR DETERMINATION, REQUIRING SUBMISSION OF A TREE REMOVAL NOTIFICATION AND PERMISSION BEFORE REMOVAL AND CREATING A PENALTY FOR THE VIOLATION THEREOF

WHEREFORE, as it has become necessary to protect and preserve certain trees within the City to be designated as "Landmark Trees" from removal or damage thereto;

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

SECTION I

There is hereby created a new Section within the official Code of Ordinances regarding Landmark Trees, as follows:

A. CRITERIA FOR DESIGNATION

The Tree Board shall undertake to create and maintain a record of all living trees within the City which shall be designated as "Landmark Trees", whether located upon public or private property. To determine such designation, the tree must meet one (1) or more of the following criteria:

1. If the species is considered rare;
2. If the tree is more than one hundred (100) years of age;
3. If the tree has been connected with a significant national, state or local historical event;
4. If the tree is of an outstanding trunk or drip line diameter for its species;
5. If the quality of the tree foliage is outstanding for its species;
6. If the trees location, shade value, fragrance, ability for erosion control or its aesthetic features of scenic enhancement is of special importance.

B. USE OF CERTIFIED ARBORIST

The Tree Board shall employ the assistance of a certified arborist is making such determinations which shall be in keeping with the American National Standards Institute (ANSI) controlling professional specifications and standards governing tree management.

C. DESIGNATION AND LOCATION MAPPING

All trees which shall be designated as "Landmark Trees" shall be depicted on an official map of the City with appropriate code markings signifying the tree's location, designation, number, species and age which shall be subject to periodic monitoring

changes and modification. The Tree Board shall provide markers to be placed upon each tree designating it as such.

D. TREE REMOVAL NOTIFICATION REQUIREMENT

1. Other than in an emergency situation, prior to the removal of any "Landmark Tree" located upon private property which is greater than four (4) inches in diameter (its caliper), the property owner shall be required to fill out and submit a Tree Removal Notification form provided by and with the City Clerk no later than fourteen (14) days prior to its scheduled removal which shall include a photograph of the tree to be removed and a drawing depicting the location of the tree upon the property.

2. Any such "Landmark Tree" for which a Removal Notification has been submitted shall be promptly reviewed by the Tree Board which shall undertake, with the assistance of a certified arborist, a field review and determine if the tree may be removed and grant permission for such or if there is an alternate determination or plan short or removal which may be implemented.

E. REPLACEMENT OF REMOVED TREE

In the event of removal, if possible, the property owner shall be required to replace the removed tree within one (1) year of removal with a replacement tree of nursery grade or better having a minimum diameter of 1 ½ inches, measured at 4 ½ feet above the existing grade, and having a minimum of 6 feet in height. The replacement tree shall be of a species selected from a permissible list maintained by the Tree Board. However, in co-ordination with the Tree Board, the property owner may instead elect to replace the removed tree on the same property at a ratio of three (3) replacement trees for each tree removed and planted at an alternate location upon the property. All tree removals shall also require removal of the stump below ground level.

F. MAINTENANCE

The owner of any property upon which a "Landmark Tree" is located shall be responsible for the maintenance thereof so as to prevent injury or death to the tree.

G. PRUNING OR LIMBING

Necessary pruning or limbing of any designated "Landmark Tree" shall be permitted upon obtaining advance permission from the Tree Board.

H. DAMAGE TO "LANDMARK TREE" PROHIBITED

It shall be unlawful for any person to intentionally damage a "Landmark Tree" in any manner which shall cause the tree to be injured or require removal as a result thereof shall be subject to the penalty provisions set forth herein.

I. ENFORCEMENT RESPONSIBILITY

The Tree Board shall have the responsibility for enforcement of the provisions of this Ordinance. A designated representative on the Tree Board may serve notice upon any

undertaken concerning removal without prior permission having been granted. Such person may request that citations be issued by any Code Enforcement personnel or any police officer against any person found to be violation hereof.

J. PENALTY

1. Civil fine upon citation.

Any person who shall remove a designated Landmark Tree" shall be subject to citation and upon a finding by the Code Enforcement Board that any such violation exist shall be subject to a fine of \$25.00 per caliper inch of the removed tree as measured 4 ½ feet above the ground from the trunk of the tree.

2. Criminal penalty.

Any person who shall intentionally damage a designated "Landmark Tree" shall be subject to a criminal citation and, upon conviction, shall be deemed guilty of a Class B misdemeanor and subject to fine and/or imprisonment as provided for in the Kentucky Revised Statutes.

3. Right of Appeal.

Any person found to be violation hereof and assessed such a penalty may appeal such determination to the Kenton District Court within thirty (30) days of the date of the issuance of the Order making such a finding and assessing any penalty.

SECTION II

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

Passed; 1st Reading: April 8, 2024

Passed" 2nd Reading: May 13, 2024

MAYOR KATHY ZEMBRODT

ATTEST:

JULIE ALIG, CITY CLERK

ORDINANCE NO. 4, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY AMENDING CHAPTER 12, SECTION 6 OF THE CITY PERSONNEL POLICIES TO INCLUDE A NEW SECTION REGARDING SICK LEAVE BUYOUT

WHEREAS, the Personnel Policies of the City of Park Hills, Kentucky have been adopted pursuant to Section 31.001 of the Code of Ordinances and that Section 31.002 thereof requires any alterations to be accomplished by Ordinance,

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

SECTION I

That Chapter 12, Section 6 of the City of Park Hills Personnel Policies shall be and is hereby amended to include the following new Section to read as follows:

CITY OF PARK HILLS PERSONNEL POLICIES

CHAPTER 12 ATTENDANCE AND LEAVE

Section 6 – Sick Leave

(l) Buyout – Any Police Officer who has accumulated the requisite amount of sick leave may, upon request at anytime during the course of employment, on an exact 2/1 ratio, exchange 80 hours of accumulated sick leave time for the payment of 40 hours of standard work time to be paid with the Officers next regularly scheduled paycheck. Such incremental exchange shall only be made in such equivalents as no partial exchanges of less than 80 hours of accumulated sick leave time for any half amount thereof of standard work time shall be permitted. As a result of any such exchange the Officers accumulated amount of sick leave shall be reduced accordingly.

SECTION II

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

APPROVED

FIRST READING: April 8, 2024

SECOND READING: May 13, 2024

KATHY ZEMBRODT, MAYOR

ATTEST:

JULIE ALIG, CITY CLERK

ORDINANCE NO. 5, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS,
KENTUCKY AMENDING SECTION 32.36 OF THE CODE OF ORDINANCES TO
ESTABLISH SUBSECTION (H) REGARDING THE ORDER OF BUSINESS AND
CONDUCT OF MEETINGS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK HILLS,
KENTUCY, AS FOLLOWS:

SECTION I

That Section 32.36 of the Code of Ordinances shall be and is hereby amended to include a new subsection (H) to read as follows:

SECTION 32.36 MEETINGS.

(H) (1) The City hereby adopts Robert's Rules of Order for its parliamentary procedures and the conduct of all meetings of City Council and its Committees.

(2) A majority of the members of City Council present at any meeting shall constitute a quorum.

(3) The following Order of Business shall apply for all regular meetings of City Council.

- (a) Call to Order and Pledge of Allegiance;
- (b) Roll Call;
- (c) Presentations, awards and proclamations;
- (d) Approval of Minutes;
- (e) Consent Agenda (if indicated on the meeting Agenda);
- (f) Legislation;
- (g) Public Comment (if indicated on the Agenda);
- (h) Department Head reports;
- (i) Committee reports;
- (j) Financial reports;
- (k) Old Business;
- (l) New Business;
- (m) Adjournment.

Such sequence may be changed upon Motion.

(4) Council may adopt a Consent Agenda containing items which are of a routine and non-controversial nature, without reading, and approved upon Motion to adopt. By request of any member of Council an item may be removed from the Consent Agenda.

(5) (a) Unless Public Comment is indicated as an Agenda item, then only with the approval of and recognition by the Mayor, shall members of the public be permitted to speak or comment on matters relating to the Agenda items, the delivery of City services, or general matters regarding the City not otherwise on the published regular meeting Agenda. Repetitious comments may be prohibited. Note that privilege of the floor is not a right under Kentucky law.

(b) Comments regarding personnel issues or neighborhood disputes shall not be permitted.

(c) Permitted comments shall be limited to three (3) minutes, which may either be extended or immediately terminated at the discretion of the Mayor. The same shall apply to special meetings however any public comment permitted during special meetings shall be limited only to those matters listed on the published Agenda for the special meeting.

(6) Only conduct that does not interfere with the orderly conduct of the meetings shall be permitted. No person either having the floor or as a member of the audience shall be permitted to make personal, inappropriate, impertinent or slanderous remarks or become disorderly, boisterous or abusive while addressing Council. Any person being disruptive in such a manner may be requested to leave the meeting and may be barred from further audience before Council during the meeting. The Chief of Police or his/her delegate present at any meeting shall be responsible for executing the orders of Council and preserving order at the meeting.

(7) With regard to caucus meetings, the Agenda for such shall be established by the Mayor. The following Order of Business shall apply to all caucus meetings:

(a) Call to Order;

(b) Open discussion of matters to be placed on future Agendas for consideration, proposed legislation, and general items or matters of City related business or concerns.

(c) Adjournment.

(8) (a) As a caucus meeting is primarily meant for the open discussion of Council on matters as set forth above, public comment shall only be permitted if set forth on the Agenda or at the discretion of the Mayor.

(b) Any person wishing to address Council during a caucus meeting shall first be required to petition the City Clerk, by telephone, e-mail or other means, by noon on the Friday preceding the date established for the caucus meeting during the following week, for permission to address Council which may or may not be granted at the Mayor's discretion. The questions or comments shall, as a part thereof, be put in writing and presented to the City Clerk for prior review. Failure to timely petition shall prevent such person from making comment during the caucus meeting. The same time limitations for presentation as set forth herein shall also apply.

(c) When Council meets in live session, video streaming and providing a link for public observance of the caucus meeting may only be provided as a courtesy but shall not be mandated. However, should Council virtually conduct a caucus meeting, the link for public observance shall be provided.

(d) No Minutes are required to be maintained for any caucus meeting.

(9) No final action shall be taken by Council during any caucus meeting.

SECTION II

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

Passed: 1st Reading: April 8, 2024

Passed: 2nd Reading: May 13, 2024

KATHY ZEMBRODT, MAYOR

ATTEST:

JULIE ALIG, CITY CLERK

MUNICIPAL ORDER NO. 6, 2024

AN ORDER OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY
ADOPTING THE NORTHERN KENTUCKY REGIONAL HAZARD MITIGATION PLAN,
2024

WHEREAS, the City of Park Hills recognizes the threat that natural hazards pose to persons and property within the City; and,

WHEREAS, the City of Park Hills has reviewed and approves the multi-hazard mitigation plan, known as the Northern Kentucky Regional Hazard Mitigation Plan, 2024, in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and,

WHEREAS, the Northern Kentucky Regional Hazard Mitigation Plan, 2024 identifies mitigation goals and actions to reduce or eliminate long term risk to persons and property in the City from the impact of future hazards and disasters; and,

WHEREAS, adoption of this Plan by the City demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Northern Kentucky Regional Hazard Mitigation Plan, 2024,

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

SECTION I

That the City of Park Hills hereby adopts the Northern Kentucky Regional Hazard Mitigation Plan, 2024, a copy of which is attached hereto made a part hereof and incorporated by reference as if fully set forth.

While content related to the City of Park Hills may require revisions to meet the Plan approval requirements, changes occurring after adoption hereof shall not require the City to re-adopt any further iterations of the Plan. However, subsequent Plan updates following the approval period for this Plan shall require separate future adopting Orders by the City.

SECTION II

That this Order shall be signed by the Mayor, attested to by the City Clerk, recorded and effective upon adoption.

ADOPTED: April 8, 2024

KATHY ZEMBRODT, MAYOR

ATTEST:

JULIE ALIG, CITY CLERK