

**Cold Spring City Council  
Special Meeting  
June 10, 2013**

The special meeting of the Cold Spring City Council, as advertised, was called to order at 7:00 pm by Mayor Mark Stoeber. Roll call showed the following members present – Lisa Cavanaugh, Lou Gerding, Dave Guidugli, Rob Moore, Kathy Noel, and Adam Sandfoss. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Steve Taylor and City Attorney Brandon Voelker. Mayor Stoeber stated that for special council meetings we can only deal with the issues on the agenda, per K.R.S. requirements. At the close of this special meeting we will move into our regularly scheduled caucus meeting which begins at 7:30 pm.

Mayor Stoeber pointed out exits from Council Chambers, per Fire Department regulations.

The first item of business was discussion on the assumption of stormwater responsibility. Mayor Stoeber stated that this is the beginning of the official process given the ramifications of the recent settlement. We have had analysis and discussion for the last five years in preparation for this moment. In general the purpose of this topic tonight is not so much as to get into all of the details, but tonight we need to talk about how we are going to proceed and handle all of this information, rapidly, efficiently, effectively, and focus on what is the best way to deal with the items that need to be focused on. Part of this process is to perhaps enter into a general services agreement with experts.

Mayor Stoeber stated that in his opinion the most efficient way to handle the discussion and the analysis of our assumption of this responsibility and handle all of the projects is to establish a stormwater ad hoc subcommittee. We have an ordinance that basically puts in place four standing committees, finance, safety, personnel and public works, but also puts in place and allows for the establishment of ad hoc subcommittees as they are needed. This is a perfect opportunity to form an ad hoc subcommittee so that there can be rapid, wide-ranging meetings and we do not have to be concerned with having to call council together at any particular moment. It also allows for more focused discussions. He suggest that if this is the direction that council wants to take, since this is a long term history project and areas of expertise, longevity, and familiarity with the system and the processes are needed, he would like to recommend that we tap Lou Gerding's experience if he wishes to be a part of it since he has a long history with the city as far as stormwater, sanitation, and general intimacy with the city. Also looking at the history of ten years' service on the public works committee, he recommends that Rob Moore serve on this ad hoc subcommittee. Typically subcommittees consist of two councilmembers because that delineates from a general meeting. On the other hand, he stated that Dave Guidugli also has experience on the public works committee and would be a good candidate as well.

Lou Gerding stated that he would like be considered to be on this ad hoc subcommittee. Besides having a long history with the city, he has been around construction which would add this type of knowledge to the committee. Dave Guidugli stated that he would like to see Councilman Gerding serve on this committee because he knows where the city has been and where we are at now in this process. He agrees that Rob Moore would also be a good selection for this ad hoc committee. Councilmember Guidugli stated that he has also been involved in the process and he would be more than happy to serve as an alternate, should one of these two members not be able to make a meeting.

Rob Moore stated that he is fine with serving on this committee. Being a public works committee member, they have had discussions about this over the past several years.

Kathy Noel stated that Lou Gerding was part of the solution that helped with stormwater back on Madonna so she is in favor of these appointments.

Adam Sandfoss agrees. Lou Gerding has been with the city for a long time, and was involved with discussions since the inception of this project. Councilmember Sandfoss stated that it might be a good idea to have three members of council serve on this ad hoc committee instead of two at least for the first year in getting everything organized, and asked if this would be possible. He would like to see Lou Gerding, Rob Moore, and Dave Guidugli serve on this ad hoc subcommittee, since it is such a big project and is creating a brand new entity for the city. They have worked well together in the past.

Mayor Stoeber questioned City Attorney Voelker about the intrinsic difference between having two council members serve rather than three council members serve. Brandon Voelker stated that we since always publish our committee meetings, the open meetings requirements are not implicated.

Adam Sandfoss doesn't want it implied that only two would not do an outstanding job, but he thinks that for the first year it would be a good thing to have three people serve and help manage the load together instead of just two people having everything fall on their shoulders. It may help to spread it out until we get our feet wet. This is a new thing not only for our city, but for cities around this area who will be looking at how we will be executing this. Councilmember Sandfoss recommends that we have Lou Gerding, Rob Moore, and Dave Guidugli serve on this stormwater ad hoc subcommittee.

Dave Guidugli stated that he would be agreeable to be the third member.

Mayor Stoeber stated that the subcommittee will have to get together fairly quickly and start the process since there are some highly level technical things that have to happen. While SD1 is being cooperative with us regarding some official signatures that have to happen, everyone realizes that this has to be a sooner than later situation. Mayor Stoeber stated that the ad hoc committee may have to meet very frequently at first and put in a lot of legwork just to put some scope around it. He will take the initiative to work out a meeting schedule that will be good for them. As the information is formalized and things get down to critical two or three possible decisions on the way things should go on a particular item, then that information will come back before council as a whole for guidance.

Dave Guidugli questioned if we need to pass a resolution on this ad hoc committee at our next council meeting, or if they can meet before that time. Brandon Voelker verified with Mayor Stoeber that all of our subcommittees are just appointed each year. The ordinance already has the provision to appoint ad hoc subcommittees. Brandon Voelker says this ordinance gives this authority so we do not need to do anything further.

The next item on the agenda is to authorize the mayor to enter into professional services contract. As Mayor Stoeber mentioned in his letter to the residents, we have had a long term relationship with a very qualified professional services firm who were in fact expert witnesses in some of our litigation. Mayor Stoeber asked council's permission to enter into a professional services contract with this firm, at the same time knowing that as we enter into this contract it will be for an initial step. This is not for entering into a full blown contract for years since we want to handle this incrementally. There is some very quick information that the subcommittee is going to need in order to get started, so we will enter this contract on a small scale in order to get that information. Then the subcommittee will need to determine the size, scale, and scope of how we want to deal with stormwater and then determine the size, scale and scope of the professional services contract.

Rob Moore made a **motion to authorize the Mayor to enter into a Stormwater Professional Services Contract.** Mayor Stoeber stated for the record that this is on an incremental bases starting out with just initial information to get things started, and then as that contract needs to be adjusted it will be subject to the subcommittee's approval, and if needed all council's approval. Kathy Noel seconded the motion. Roll call vote showed six yeses and no noes. **Motion carried.**

Lou Gerding made a motion to adjourn the June 10, 2013 special meeting and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**