

Cold Spring City Council June 27, 2016

The regular meeting of the Cold Spring City Council was called to order by Mayor Angelo Penque. He pointed out exits from Council Chambers, per Fire Department regulations. Prayer and pledge to the flag was led by the City Clerk. Roll call showed the following council members present – Chris Ampfer, Lisa Cavanaugh, Lou Gerding, Brenda Helton, Roger Jones and Adam Sandfoss. Also present were Police Chief Brian Messer, City Clerk Rita Seger, Administrative Officer Stephen Taylor City Attorney Brandon Voelker, and Ronnie Hitch of Public Works.

There was one deletion to the agenda under New Business 10 D – amendment of Ord. 15-1015 - this is not needed.

Mayor Penque commented on the items of interest to the community. The city had its 75th birthday this past Saturday, June 25th. It was a tremendous success and he wanted to thank all of the volunteers, council members, the chairman Steve Taylor who did a great job, and the police department and maintenance department. It was a lot of fun and he had such positive feedback from the citizens. He thanked everyone involved for the time and work that they put into the planning. The Car Show was outstanding and they want to come back. In the future we will be doing other functions and he hopes they go off as well. It was phenomenal. The Trunk Sale was held on June 11th and it went very well and there were more people than last year. It was a lot of fun. The Movie in the Park will be held on Saturday, July 16th at Municipal Park at dusk. The featured movie will be *Inside Out*. Additional movies scheduled for this year will be *Good Dinosaur* on August 27th and *Hotel Transylvania* on October 28th. Mayor Penque stated that the city is offering veterans assistance on the third Thursday of the month, from 10 am to 2 pm at the city building for Cold Spring residents, by appointment only. Mike Disney is the advisor and will be able to assist any of our Cold Spring veterans. If you are a Cold Spring veteran please call the city office and make a reservation. There will be a drawing of an American flag for Cold Spring residents in attendance at the end of this meeting.

The minutes of the May 23, 2016 council meeting were reviewed by all. Lou Gerding made a motion for approval and Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

There were no scheduled guests.

As an unscheduled guest, resident Mike Foulks addressed Mayor and Council. He is on the board of the condo association at Granite Spring. They have run into the problem of dog droppings in their neighborhood, and their association increased their initial fine from \$25 to an initial fine of \$250.00 and then increasing that by \$100. They felt by putting some teeth into the fine policy they could get better cooperation from the residents. He requests that the city also increase their fine policy and maybe get better coordination between the condo board trustee and the city enforcement officer, so that when they send a fine out they can also send a copy to the city and if possible the city can implement the city fine policy. Adam Sandfoss verified that he was talking about a double fine, from both the condo association and the city. Mr. Foulks replied that it seems the only time we can open people's eyes is to hit them in the wallet. There are just times when you have to do this for the aesthetics and the betterment of the community. Brenda Helton questioned if he has seen any improvement since they have upped their fines. Mr. Foulks stated that they haven't seen an increase in complaints since then, but at the same time there is still some evidence of this violation within their community. Lisa Cavanaugh stated that in the summer a lot of kids walk their dogs and the parents aren't making them pick it up. She agrees that it is a problem and there needs to be more awareness. Mr. Foulks said to try to give a name, address, and try to take a picture of the event. The more evidence you have the better off your case is. Brenda Helton verified that this was an item in our spring newsletter. Mayor Penque stated he has received some complaints regarding this also. Our residents need to know that this is an ordinance and we need to address it. Hopefully residents will watch this meeting and get the word that we will enforce it. Chris Ampfer verified with Ronnie Hitch that not too long ago public works had cleaned out numerous bags of excrement found in stormwater drains in one subdivision.

Under Old Business, Mayor Penque questioned if council would like to **sponsor a text amendment adding outdoor dining as a conditional use in the NC and / or NSC zone**. Chris Ampfer verified that this was the agenda item that they spoke about at the last caucus meeting. Lisa Cavanaugh made a **motion that council sponsor the text amendment**, and Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

Mayor Penque questioned if council would like to **sponsor a text amendment adding agricultural use to the R-RE and R-RE* zone**. Lou Gerding made a **motion that council sponsor the text amendment**, and Lisa Cavanaugh seconded the motion. All were in favor. **Motion carried.**

Under New Business, **Municipal Order 16-03 was read, appointing Michael Foulks to the Cold Spring Planning & Zoning Commission to fill a vacancy with term to expire 1/31/18.** Lisa Cavanaugh made a motion to approve this appointment and Lou Gerding seconded the motion. All were in favor. **Motion carried.** Lou Gerding thanked Mr. Foulks for stepping up. Mr. Foulks stated that he appreciates the opportunity to serve this great community and he wants to make a positive contribution. He has been in education for over thirty seven years as a teacher, coach and administrator, and he umpired high school and college baseball for twenty years, and is a Vietnam Veteran.

Mayor Penque requested **authorization to sign an interlocal agreement with Campbell County Planning and Zoning.** Lou Gerding made a **motion to authorize the signing** and Adam Sandfoss seconded the motion. Brenda Helton referred to page 2 item 5 of the agreement regarding duration and termination and questioned if we have any control over this or do we know what the duration is. Brandon Voelker stated that when they refer to expanded jurisdiction, Cindy Minter and the Campbell County P&Z offices are part of the Campbell County Fiscal Court. They actually exist to serve the members that are part of the County Planning and Zoning Commission. He believes what they are referring to is that we are expanding but are not actually a part of their statutory court branch. Steve Taylor stated that we currently have no end date on the contract, and either party can terminate the contract with ninety days written notice. Brenda Helton then referred to page 2 item 12 regarding the waiver and questioned if this lets us out of the ninety days notification. Brandon Voelker stated that in the event that you don't enforce some type of breach, that doesn't excuse if it happens again. You can't say if you got away with it once, you can't get away with it a second time. Brenda Helton referred to page 3 item 14 regarding notices. Steve Taylor stated that if we want to terminate the contract we have to send it to the Judge Executive, not the County Planning & Zoning, and likewise they would need to send it to the Mayor, not City Council. Chris Ampfer questioned how the prices compare with our former NKAPC Staff. Steve Taylor stated that they are quite comparable. This agreement does show some slight increases. Brandon Voelker stated that the fees are mainly a pass through. Steve Taylor stated that we make no money off of this. It is how they pay for their services. There being no further discussion, all were in favor. **Motion carried.**

Ordinance 16-1028 was read in summary form for the first time adopting the Kentucky Building Code and Kentucky Residential Building Code as promulgated. Brenda Helton questioned the fees. Steve Taylor stated we also subcontract with the county building inspection and plan review which is incorporated in the county schedule. Lou Gerding stated that we already have something to this effect and questioned if this was superseding it. Brandon Voelker stated there have been some new codes going into effect, and a lot of audits by the Department of Housing. Lou Gerding made a **motion for approval** and Adam Sandfoss seconded the motion. Roll call vote showed six yeses and no noes. **Motion carried.**

Resolution 16-03 was read, endorsing the Municipal Aid Road Fund for Fiscal Year 2016 / 2017. Lou Gerding made a **motion for approval** and Lisa Cavanaugh seconded the motion. Steve Taylor explained that this is a standard agreement between the city and the state. Every year we get municipal aid road funds as a rebate of part of the gas tax. This contract tells the maximum amount of money that we will be paid, and it is paid out in three different payments. The first payment is guaranteed and the second two payments are based on percentages and how revenues were generated. Chris Ampfer questioned if this was based on population or area. Steve Taylor responded that it was based on lane miles that are maintained by the city. All were in favor. **Motion carried.**

There were no follow up citizen comments.

Departmental reports were submitted in writing.

Council comments followed.

Lisa Cavanaugh stated that she couldn't be more happy with the 75th anniversary event. She thanked the Belairs Show Band. They were thrilled to be back and had nothing but good things to say about the mayor and the city. She thanked the Country Cruisers, who said that they had 105 cars registered and told her that they could probably double that if we have an event next year. She thanked the 75th Anniversary Committee, the Mayor, Brenda Helton, Steve Taylor, herself and Tom Benke. They worked very hard and provided very good input. A lot of the credit goes to Steve Taylor who really stepped it up and did a great job. She thanked the public works department who did so much of the work and very seldom get the credit that they deserve. She thanked the police department. It was all hands on deck and very hot but there weren't any issues and the traffic ran smoothly. She thanked Nick and Mary Smith from Granite Spring who provided her with a lot of photos. She stated that there is a lady who tends to our flower gardens in front of the Municipal Park, and her name is Ruth Rust Daunt. She has worked as a volunteer and tended to our flowers for the last twenty years. She was Al Rust's younger sister. Al Rust played a very important role as the City of Cold Spring public works director, and in 1997 when he started walking with a cane and he couldn't bend down to do the weeding, she began to help her brother and has been working in our gardens ever since then. She was given many of our flowers from residents of the city who were going to just throw them out and she planted them here. This is like a community garden which she has established. The white bench in the front garden is a memorial garden for her brother Al Rust,

and she is one of those people who makes up the great city that we have. You can thank public works for cutting the grass but you can thank Ruth Rust Daunt for keeping the flower beds looking so nice. Thanks to everybody involved in helping the 75th Anniversary of the City of Cold Spring be so successful. If you want to see the historical items, call the city building and she will make arrangements to meet and let people see everything that she has. She has also been inspired to put together a book about the history of the City of Cold Spring. She hopes people will continue to look for history of our city and let her know.

Roger Jones agreed that the 75th was fantastic and it was a lot of fun.

Brenda Helton stated that the 75th was great. We still have some cupcakes left and she questioned if we could send them to our next door neighbors at the daycare. Steve Taylor stated that we have already done so. We have three boxes of cupcakes left, and we still have the 75th cake. Brenda Helton asked if we could get a comprehensive plan update and animal control on the caucus agenda. She questioned if we still have an agreement from the animal control board since we have not received a report for several months.

Chris Ampfer stated that he did enjoy the historical display at the 75th Anniversary and he thanked everybody who was involved. He finds it hard to believe that the city let the "spring" get built over. Maybe one of these days we can dig it back up again.

Under attorney comments, Brandon Voelker stated that the 75th Anniversary event was a good time and his kids loved the bounce house.

Mayor Penque thanked the representatives from the state, county and local entities who were present at our 75th Anniversary event. We have representatives from Governor Bevin's office, from the Lt. Governor's office, and our state representative, and he really appreciates their coming out and speaking and giving a number of different proclamations. Our county judge executive had a family member pass away but he still found the time to come to our event.

Mayor Penque stated that it looks like we will be getting funding for the SD1 project. He is very excited. Brandon Voelker stated that it is his understanding that they put into the budget \$460,000 to design the sewer, and approximately \$6,000,000 next year and \$6,000,000 the following year to open up the area of the AA Highway and US27. Mayor Penque stated that he cannot thank Brandon Voelker enough because they keep running down to Frankfort and shaking the money out of them. Brenda Helton questioned if this is to replace the Camp Spring project. Mayor Penque stated that this is a separate project. Brandon Voelker stated that they will go out to bid probably this fall. The best thing is that once you have a design, you can show it to a potential developer and they feel a lot better. The other thing that he was told is the minute a big development would come, that would help to expedite it even more.

Chris Ampfer requested an update on the Matinee project at the next caucus meeting.

Resident Mike Foulks was the winner of the American flag and pole.

Councilwoman Cavanaugh added that she has heard many compliments about Mayor Penque from our residents, saying that they appreciate his support and he has done so many good things for the city. Since he has come into office he has hit the ground running and she wanted to pass along this feedback. Mayor Penque appreciated the compliments but added that it is with the help of the city council who have been very warm and courteous to him and accepted him. He expressed his appreciation to each councilmember, and thanked the city clerk and the city administrator.

Lou Gerding made a motion to adjourn the June 27, 2016 council meeting at 8:12 pm and Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: