

Cold Spring City Council May 12, 2008

The special meeting of the Cold Spring City Council was called to order by Councilman Charles Gray, who was appointed by Mayor Mark Stoeber to preside at this meeting in his absence. The purpose of this meeting, as advertised, was to create a part-time / seasonal Public Works job position. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli and Rob Moore – excused were Kathy Noel and Stuart Oehrle. Also present were Rita Seger, Brandon Voelker, Tom Benke and Ed Burk.

Charles Gray pointed out exits from Council Chambers, per Fire Department regulations.

Ordinance 08-946 was read in summary form for the first time, for the creation of a part-time / seasonal public works laborer. Rob Moore made a motion to approve this ordinance and Lou Gerding seconded the motion.

Discussion on the job description followed. Lou Gerding stated that under “Characterstics” it should include that the primary work is for the maintenance of parks and recreation facilities. Brandon Voelker stated that the ordinance that he provided does identify this for public works / parks.

Lou Gerding suggested that under “Job Duties” wording should include the use of a weed eater. Rob Moore stated that we could just include wording that stated “...not limited to the above” which would leave an open door for duties such as this. Brandon Voelker stated that it could read “...any other duties as required or assigned by the Mayor or the Public Works Supervisor.”

Dave Guidugli questioned the areas in the job descriptions that refer to work “...under close supervision of the Public Works Supervisor...” which might give us some problems in case of an accident or injury, because the Public Works Supervisor cannot be with the laborer constantly. Brandon Voelker stated that it might be better to re-word it to state “...under the direction of the Public Works Supervisor....”.

Lou Gerding questioned the wording “...ability to lift objects in excess of 25 lbs.” Other samples of this job description state in weight in excess of 40 lbs. Brandon Voelker stated that this would only come into play on an ADA claim where this job description would be given to a doctor. The more information you put in, the better able the doctor will be to determine if the laborer can perform his job. It was decided to use wording for 40 lbs. instead of the 25 lbs.

Rob Moore stated that a background check should be performed, because the laborer will be working in our parks near children, and also may be driving our city vehicles. Brandon Voelker concurred. Chief Burk stated that we should absolutely require it, to make sure that they do not have multiple driving offenses.

Brandon Voelker stated that tonight we are just creating a position of a seasonal employee, but we will at some point need to establish these types of guidelines and policies. Discussion followed on hours that can be worked before the pension program would kick in. Seasonal workers could work as many hours as needed, without benefits, as long as it is for only six months.

Roll call vote on Ordinance 08-946 showed all were in favor. **Motion carried.**

Rob Moore verified that this job can be posted immediately in order to avoid delays. Lou Gerding stated that the mayor will draw up the wording for the job to be advertised.

Motion to adjoin the May 12th special meeting was made by Rob Moore and seconded by Lou Gerding. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Special Meeting
May 27, 2008**

The special meeting of Cold Spring City Council was called to order by Mayor Mark Stoeber. Pledge to the flag was recited and prayer was lead by the City Clerk. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore, Kathy Noel and Stuart Oehrle. Also present were Tom Benke, Ed Burk, Rita Seger and Brandon Voelker.

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

Mayor Stoeber stated that the City of Cold Spring greatly appreciated the invitation to participate in the Crestview Memorial Day Parade, which was held on May 26th. Thanks to Operation Hug for providing a float, which three councilmen rode on. One of our city's Veterans also rode on the float. He served on the U.S.S. Lexington, and it is now a museum in Corpus Christi, Texas and it has a fabulous website at usslexington.com.

Sheila Bogen reported on Operation Hug night at Noble Romans Pizza, which was held on May 15th. Jeff and Fritz from the Q102 morning show were in attendance. There was an Operation Hug table set up that night, and they raised \$377.59. Ms. Bogen appreciated the money which Noble Romans gave Operation Hug for their support. Our soldiers need and appreciate the support that the City gives to them. Operation Hug is completely out of supplies to ship, and we especially need snack items, soups or drink mixes, which must all be in plastic containers since we cannot ship glass. Any type of blank greeting cards that the soldiers can mail back home is appreciated. We have approximately 115 soldiers in our adopted unit. To date, Operation Hug has sent 260 packages, about 1,900 pounds of supplies, to them.

Lisa Cavanaugh announced that the winner of the May Yard of the Month award goes to Jim and Kathy Dawn, who live at 8 Sturbridge Drive. They could not attend tonight's meeting, but they will receive a picture, certificate, and a \$25.00 gift certificate which was donated by Meijer Store.

The Parks Recreation and Tree Commission will sponsor a Teen Dance, which will be held on Friday, June 6th from 7:00 to 10:00 pm at the Cold Spring Municipal Park Shelter, for ages 13 to 18. There will be a DJ, cornhole, basketball, with free food and drinks. Lisa Cavanaugh stated they will also be giving out door prizes. Operation Hug will be selling bakery items at a nominal fee.

The City will hold a special meeting on June 2, 2008 to appoint members to our Parks, Recreation and Tree Commission, and to our Planning and Zoning Commission.

An American flag and pole will be awarded to anyone present who stays until the end of this meeting.

The minutes the April 28, 2008 council minutes were reviewed by all. Charles Gray made a motion to approve, and Rob Moore seconded the motion. All were in favor. Motion carried.

The minutes of the May 12, 2008 council minutes were reviewed by all. Dave Guidugli made a motion to approve, and Lou Gerding seconded the motion. All were in favor, with the exception of Stuart Oehrle and Kathy Noel who abstained because they were not present at the May 12th meeting. Motion carried.

Resident Daniel Ward was present and addressed council. Mr. Ward stated that he is speaking on behalf of the residents of Ripple Creek Road area as well as himself. In the early morning hours and throughout the day, trucks going along US 27 have been using their airbrakes. These are being used by trucks going both northbound and southbound, and the noise, which carries throughout the city, is quite disturbing. Because the city has an ordinance against trucks using their airbrakes, Mr. Ward requests that the city place signs along US 27 near Ripple Creek, advising trucks of this ordinance. Mayor Stoeber stated that we do have such signs placed along State Route 1998, and we will look at that and see what we can do.

Ordinance 08-946, creating the position of a part-time / seasonal public works / parks laborer was read in summary form for the second time. Lou Gerding made a motion to adopt this ordinance. Stuart Oehrle seconded the motion. Dave Guidugli made one correction on the job description. Roll call showed all were in favor. **Motion carried.**

Ordinance 08-947, amending the 2007-2008 fiscal year budget, was read in summary form for the first time. Rob Moore made a motion to approve this ordinance and Charles Gray seconded the motion. All were in favor. **Motion carried.**

Ordinance 08-948, first reading for the budget for the 2008-2009 fiscal year was read in summary form. Stuart Oehrle made a motion for approval and Dave Guidugli seconded the motion. Brandon Voelker stated that this budget will reflect the changes described at the public hearing for the Municipal Aid Road Funds, held previous to this meeting. Kathy Noel verified that this budget will include upgrades on the city building / police building. Mayor Stoeber stated that discussion on the

upgrades for the re-modeling still needs to occur. This is a preliminary first reading, with details to follow. Roll call vote showed all were in favor. **Motion carried.**

Brandon Voelker reviewed discussions from the Caucus meeting on May 12th regarding signage on vehicles. The vehicle under discussion is located at the Quicke Lube and Car Wash. The approved site plan for this area does not allow parking on this roadway, and should be treated as a zoning violation. Brandon Voelker will send a letter to the property owner advising him that this is under investigation and our intent is that if the violation continues we will pull the occupational license for that building.

Mayor Stoeber stated that this is just a proliferation of other signage issues in the city. Rob Moore stated at the past Caucus meeting they also discussed signs on the inside of retail businesses windows facing out. Dick Weber will be looking at some of the other cities that he deals with to see if they have any ordinances pertaining to percentages of windows that you can block with that type of signage.

Dave Guidugli said one of the arguments about vehicle signage was that we allow portable temporary signs on top of cars such as pizza delivery vehicles. Kathy Noel stated people like to see identifications on delivery or service trucks. Dave Guidugli stated when it is painted on the sign it is not a temporary sign. Stuart Oehrle stated that there should be some way of going after temporary signs that are not fixed. Mayor Stoeber requested that Brandon Voelker to look at this and find a way to stop abuse of temporary signs on vehicles.

Mayor Stoeber stated that the appointment to the Cable Board is back in rotation. Dave Guidugli is currently under a Campbell County appointment with the Cable Board, however, the city has the opportunity to appoint a representative onto the Cable Board. The intent of the appointment is to have one representative from each governmental body. Rob Moore moved to **appoint Dave Guidugli from the county appointment to the city appointment as Cold Spring representative to the Cable Board.** Stuart Oehrle seconded the motion. All were in favor. **Motion carried.**

Lou Gerding gave an update on the Planning and Zoning Commission meeting of May 14. There was a public hearing for a proposed amended Stage II Development Plan for signage on Crossroads Boulevard. After much discussion, Planning and Zoning approved three additional ground signs along Crossroads Boulevard, spaced so that individual business would have their names on a sign identifying them in the strip area. That should eliminate the needs for these people placing their signs on vehicles out front. Also under discussion was the language between HC* and HC with less than five acres. Recommendation was to let it take its course and have the asterisk areas be specifically identified in the next comprehensive plan. That way they can get it changed over to the city zoning, with either the HC instead of HC*. Lou Gerding stated that the two new appointments to Planning & Zoning were very involved in the discussion, bringing in different questions and interpretations, and they will be a good fit on our Planning & Zoning Board.

Rob Moore questioned time frames allowed for code violations that are obvious and flagrant. Mayor Stoeber stated that perhaps a week or two would be sufficient time to allow correction, but there are some occasions that might take longer. Please contact Code Enforcement Officer Dick Weber and e-mail him of any concerns, especially if there is something that needs to be taken care of immediately.

Resident Daniel Ward of 5828 Ripple Creek Road was awarded the American Flag and pole.

Stuart Oehrle made a motion to adjourn and Charles Gray seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Municipal Aid Road Fund
May 27, 2008**

The 2008 Municipal Aid Road Fund public hearing, as advertised, was called to order by Mayor Mark Stoeber. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore, Kathy Noel, and Stuart Oehrle.

Mayor Stoeber invited discussions or comments on the Municipal Aid Road Funds for 2008-2009.

There were no comments from the public for or against participation in this program.

Stuart Oehrle made a **motion to approve Resolution 08-02 endorsing the Municipal Aid Road Fund contract for the fiscal year 2008-2009**. Kathy Noel seconded the motion.

Discussion followed. Lou Gerding stated that after looking at the streets, Bluestone Court needs a total replacement, and some streets in the city need patches cut out of them and replaced. Many of the streets are not in good shape due to the streets not being sealed on a regular basis. The streets held well over the winter where the seal was put down. It should be a number one priority to get all of the streets sealed this year. The Bluestone Court replacement cannot take place until the city receives cooperation from the Homeowners Association on replacing aprons.

Rob Moore stated that the city needs to get in touch with homeowners to take care of aprons that drop below the street and curb, and undermine the street. Those are the areas that seem to be where the most road damage has occurred. There is also an issue about the downspouts that needs to be addressed.

Kathy Noel stated that when some of the streets were replaced, the city also replaced their aprons. Lou Gerding stated that it was because either the driveway crumbled in the road re-construction process, or the elevation of the curb was changed, not because their aprons dropped.

Stuart Oehrle recommended that we seal concrete sections, curbs, and gutters where the seams are. Sidewalks may have to be done as well.

Dave Guidugli stated that in the past, we had to rent a machine to do the job, and it had to be returned within a certain time period. If weather conditions were not right during that time period we couldn't do the sealing.

Mayor Stoeber stated that he will talk to the Public Works Supervisor to plan on sealing the streets. Lou Gerding had concerns on the cost of materials.

Further discussion continued on the cost of the materials needed, and which sections of streets needed to be patched. The streets are Downing Street, Villagegreen Drive, Cobblers Drive, the front section of Sturbridge Drive, Madonna Lane at Aloysius Circle, and Andrew Circle at Paul Circle, and with total replacement of Bluestone Court.

Rob Moore had concerns about Ivy Ridge Drive. Stuart Oehrle stated the entrance to Buning Lane needed to be look at, and questioned if we had an agreement with the developers of Granite Spring. Brandon Voelker will speak to the Homeowners Association for Ivy Ridge, and will check on the annexation agreement and map amendment on the Granite Spring/Buning Lane area.

Mayor Stoeber stated that he will invite NKAPC to attend the July Caucus to review Ivy Ridge, Granite Spring and Buning Lane issues.

Finances were reviewed for what has been allotted for road construction and repair and sealing, and how the figures in the M.A.R.F. budget could be adjusted.

It was decided that we put \$160,000 under the construction line item, \$6,000 for street sealing, \$15,000 for street repair and maintenance, and \$15,000 for salt and sand, and flow through the rest.

There were no comments or input from the public regarding these discussions.

Roll call endorsing Resolution 08-02 Municipal Aid Road Fund contract for fiscal year 2008-2009 showed six yeses and no noes. Motion carried.

Stuart Oehrle made a motion to adjourn the Public Hearing, and Charles Gray seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: