

**Cold Spring City Council  
Special Meeting  
August 10, 2009**

The special meeting of the Cold Spring City Council, as advertised, was called to order by Mayor Mark Stoeber. Members present were Lou Gerding, Brenda Helton, , Stuart Oehrle, Janis Reiman and Sandy Ross, excused – Rob Moore. Also present were City Administrative Officer Michael Vank and Attorney Brandon Voelker.

The purpose of this special meeting was to enter into Executive Session per K.R.S. 61.910 C – litigation and to take any action, if necessary, as a result of the executive session.

Lou Gerding made a motion to enter into executive session, per K.R.S. 61.910 C – litigation, and Stuart Oehrle seconded the motion. All were in favor. Motion carried.

Janis Reiman made a motion to adjourn the executive session and Sandy Ross seconded the motion. All were in favor. Motion carried.

As a result of the executive session discussions, Stuart Oehrle made a motion to have the Cold Spring City Attorney protect the city of Cold Spring’s rights in response to recent correspondence by Sanitation District No. 1. Sandy Ross seconded the motion. Roll call vote showed five yeses and no noes. Motion carried.

Stuart Oehrle made a motion to adjourn the special council meeting. Sandy Ross seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**

## **Cold Spring City Council**

### **August 24, 2009**

The regular meeting of the Cold Spring City Council was called to order by Mayor Mark Stoeber. Pledge to the flag and prayer was led by the City Clerk. Roll call showed the following council members present – Lou Gerding, Brenda Helton, Rob Moore, Stuart Oehrle, and Sandy Ross, excused – Janis Reiman. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Michael Vank, and City Attorney Brandon Voelker.

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

Mayor Stoeber requested two additions to the agenda, one under item 17 – executive session per K.R.S. 61.810 – C litigation, and one under New Business – item 10. ~~E~~ F - appointment to the Parks Recreation and Tree Commission.

Gary and Brenda Pattison, of 12 Louis Circle were named by the Park Board as recipients of the August Yard of the Month award. Cindy Wehry of the Parks, Recreation and Tree Commission presented a plaque to Mr. and Mrs. Pattison which showed a photograph of their home and yard. A Yard of the Month sign has also been placed in their yard. Ms. Wehry stated that the Pattisons are the original owners of the home, since 1978, and they have done a beautiful job in keeping up with their yard.

Mayor Stoeber gave an update on the Cruise In / Concert which was held on Saturday, August 8<sup>th</sup>. Approximately 200 cars were registered for the cruise in, and the concert which featured the Hot Wax Show Band, was very well attended. Everyone had a nice time. Thanks to the Parks, Recreation and Tree Board and Nancy Bay for the hard work that they put into this event.

Mayor Stoeber announced that the Cold Spring Police Department and Central Campbell Fire Department will hold the annual Fishing Derby on Saturday, September 5<sup>th</sup> at the Guys N' Dolls lake. Registration is from 7 am to 10:30 am, and fishing is from 8 am to 12 pm. Children must be accompanied by an adult the entire time. Bring your own fishing rod, tackle and bait, or you may purchase bait at the event. This is only for children, ages six through twelve. Prizes will be awarded. Thanks to Officer Les Caudill for organizing this event.

Barleycorn's Restaurant will be closed from August 24<sup>th</sup> through September 3<sup>rd</sup> for renovations that they are making to their building on Industrial Road. Mayor Stoeber stated that the owner, Joe Heil, has placed his employees at other Barleycorn locations in the area so that they will not be out of a job during the renovation period.

There will be a drawing for an American flag and pole for residents who stay until the end of this meeting.

The minutes of the July 27<sup>th</sup> regular meeting were reviewed by all. Lou Gerding made a motion for approval with one typographical correction and Stuart Oehrle seconded the motion. All were in favor of the minutes as corrected. Motion carried.

The minutes of the special July 28<sup>th</sup> meeting were reviewed by all. Rob Moore made a motion for approval and Stuart Oehrle seconded the motion. Lou Gerding requested one word to be deleted. All were in favor of the minutes as corrected. Motion carried.

The minutes of the special August 10<sup>th</sup> meeting were reviewed by all. Stuart Oehrle made a motion for approval and Lou Gerding seconded the motion. All were in favor. Motion carried.

Jerry Hodges of 5899 Ripple Creek Road addressed Council. He stated that he had phoned the city building about grass and vegetation growing along the drainage ditch along Ripple Creek Road several times within the past couple of months, but nothing was ever done. When he phoned today and requested to be included on the agenda, the city finally came and cleaned it up. Mr. Hodges presented photographs of the area in question, along with photographs of the school garage and hay which had been thrown in the drainage ditches. He stated that the drainage ditches often become clogged and there is standing water and they don't drain properly. He stated that the city should be more responsible in weeding and maintaining those drainage ditches. Also the garage which apparently belongs to the co-op school on the corner needs a tune-up and some attention and asked that we have them make the necessary repairs. Mr. Hodges requested that the city check into this and give him additional feedback.

Greg Cole of 5903 Ripple Creek Road addressed council about his concerns on the safety of Ripple Creek Road. There are trees with low-hanging branches that sometime scrape the tops of the cars as you drive past. When you go around the curves on Ripple Creek it is very difficult to see. There is a lot of speeding along that roadway which makes it especially dangerous. Also, there is a lot of trash that appears to be coming from Sabre Drive that needs to be cleaned up. On the roadway, there are

sections of asphalt that need repair. Mr. Cole stated that he spent a lot of money fixing up his property to make it look nice, and he would appreciate the city's attention to the street, trash, and speeders.

Lisa Cavanaugh, of the Park Board, addressed city council on behalf of the Girl Scouts. She stated that the Girl Scouts have worked hard throughout the years, from kindergarten through their senior year in high school, and are earning their awards which are similar to the Boy Scouts eagle scout awards. The Girl Scouts are requesting that council help them out this year at the Day in the Park event. They would like to know if council can show their support by taking turns in the cotton candy and the popcorn booths. The girls will follow up with phone calls.

**Ordinance 09-957 was read in summary form for the second time, updating the Police Department policy manual.** Lou Gerding made a **motion to adopt this ordinance**, and Rob Moore seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

**Ordinance 09-958 was read in summary form for the first time, amending the Cold Spring Code of Ordinances regarding security alarms.** Lou Gerding made a **motion for approval** and Stuart Oehrle seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

The Cold Spring Planning and Zoning Commission passed Resolution 09-0305, with a recommendation to council to re-adopt the 2005 Comprehensive Plan, with the only known changes being the socio-economic data. Brandon Voelker stated that K.R.S. requires that the Comprehensive Plan be reviewed or updated every five years. The Cold Spring Planning & Zoning Commission has found that the 2005 Comprehensive Plan is current and they seek input from City Council to re-adopt this plan rather than do an expensive full blown review of a Comprehensive Plan. NKAPC will review the socio-economic data. Lou Gerding questioned if the Council will still have to approve the Goals and Objectives. Brandon Voelker stated that P & Z will probably re-adopt them and if that is the case it does not come back to Council. If there are any changes, then it will have to come to Council to adopt. The plan elements will be reviewed at a public hearing.

Rob Moore made a **motion to approve Resolution 09-06, supporting the Cold Spring Planning and Zoning's current path to have a public hearing regarding examining the elements of the 2005 Comprehensive Plan for re-adoption.** Sandy Ross seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

Mayor Stoeber recessed the August 24<sup>th</sup> council meeting, to enter into a **meeting of the Cold Spring Municipal Properties Corporation** in order to discuss the AT&T cell tower co-location with Cincinnati Bell.

Rob Moore called the meeting of the Municipal Properties Corporation to order. Lou Gerding excused himself from all discussions due to a possible conflict of interest. The plans for the cell tower co-location were received from AT&T and were reviewed by all.

Discussion followed. Sandy Ross stated that since the plans were just received this day, this decision should be made at a later time after they have had a chance to read and review the plans. Discussion followed.

Further review of the numerous pages showed that equipment would be installed, but no additional structures would be added, and the height of the equipment at five feet would not be very visible behind their fence. Stuart Oehrle felt that a decision could be made tonight based on this further review.

Michael Vank stated that he had viewed the site in question several weeks ago, and there were plates and external cords lying around the ground and it was rather messy. Brenda Helton questioned if we could require a clean up or additional landscaping or screening of this area as a condition for the approval, or could this be a code enforcement issue. Mr. Vank stated that it would probably be best to just ask for a cleanup or request that NKAPC look at the safety of this site as part of their building permit review.

Stuart Oehrle made a **motion to approve the co-location of Cincinnati Bell to the AT&T Cell Tower on Weaver Lane**, and Rob Moore seconded the motion. Roll call vote showed three yeses, one no – Sandy Ross, and one excused – Lou Gerding. **Motion carried.**

Stuart Oehrle made a motion to adjourn the meeting of the Municipal Properties Corporation and Sandy Ross seconded the motion. All were in favor. Motion carried.

Mayor Stoeber re-opened the session of the regular August 24<sup>th</sup> council meeting.

**Municipal Order 09-06** was read, **appointing Nancy Bay to the Parks, Recreation, and Tree Commission**, to fill a vacancy left by the resignation of Randall Verst, term to expire 7/17/2013. Rob Moore made a motion for approval and Sandy Ross seconded the motion. All were in favor. **Motion carried.**

Departmental reports were reviewed. Michael Vank commented about the issue of Ripple Creek Road which was presented by Jerry Hodges this evening. He stated that it was merely a coincidence that Public Works had cut and cleaned up the drainage ditches today after Mr. Hodges requested to speak to Council tonight. That work had been scheduled as soon as we could make use of a lateral mower owned by Highland Heights. Also, when he last spoke to Mr. Hodges, our Public Works employees were very busy getting ready for the Cruise In / Concert. Mr. Vank stated that we do a lot of mowing in areas that are not really ours, to try to help our citizens and make it a safer area. While we try to satisfy all complaints, Public Works does not have a lot of spare time especially at this time of year. They can't do it all, but they certainly try.

Brandon Voelker stated that the property with the garage and hay in the drainage ditch actually belongs to the co-op. Brandon Voelker stated that we have the right of way, but typically the homeowner mows all of the way out to the road. Brenda Helton said the responsible parties should be contacted to take care of this mowing themselves, and also the co-op should be notified to take care of their garage.

Ed Burk stated that an advertising campaign has begun, which runs from August 21<sup>st</sup> through September 6<sup>th</sup>. Don't drink and drive or you will be arrested. He reminds residents to pay attention to the parking signs and to park the right way on your street. Also, the Police Department has begun using the Northern Kentucky Data Inter-operability System. Officers are given specific areas within the city and they will focus on the specific issues and concerns of that area. The Police Department is working on getting up the website so that citizens can make contact in that manner. In the meantime, just call the office and they will get you in touch with the appropriate officer. The officers will be out in their designated area in some form or fashion, and he has left them to their own devices on how to initiate those contacts. Chief Burk also reminded everyone of the Fishing Derby to be held on September 5<sup>th</sup>. Lots of prizes will be given away.

Sandy Ross questioned if we heard anything more about the issues of concern brought before council at the July 27<sup>th</sup> meeting from the resident from Sturbridge. Chief Burk stated that the officer designated to the Sturbridge area has been in contact and has been observing the area. There have been only minimal complaints from that area and he has nothing to report at this time.

Rob Moore stated that we should be aware that our Public Works crew will be out sealing our city streets. Be patient because it is a slow process.

Stuart Oehrle requested that our Code Enforcement Officer check on the trash issue on Ripple Creek and whether it is in the city or not, since part of that road is in the county area.

Brenda Pattison, of Louis Circle was awarded the American flag and pole.

Brenda Helton made a motion to enter into executive session, per K.R.S. 61.810 C – litigation. Sandy Ross seconded the motion. All were in favor. Motion carried.

Lou Gerding made a motion to come out of executive session and Rob Moore seconded the motion. All were in favor. Motion carried. No action was taken as a result of this executive session.

Lou Gerding made a motion to adjourn the August 24<sup>th</sup> meeting and Stuart Oehrle seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**