

**Cold Spring City Council  
Municipal Aid Road Fund  
Public Hearing  
May 29, 2012**

The 2012 Municipal Aid Road Fund public hearing / special meeting, as advertised, was called to order by Mayor Mark Stoeber. The purpose of this meeting is to hear comments from the public regarding use of the Municipal Aid Road Funds for the 2012/2013 fiscal year, as required by K.R.S. for accepting state funds. Roll call showed the following council members present – Lou Gerding, Dave Guidugli, Rob Moore, Kathy Noel, Stuart Oehrle and Adam Sandfoss.

Mayor Stoeber pointed out exits from the building, per Fire Department regulations.

Mayor Stoeber invited comments from the public on how they would like for us to spend this money.

There were no comments from the public regarding the use of the Municipal Aid Road Funds for FY 2012/2013.

Dave Guidugli made a **motion to approve Resolution 12-01 endorsing the Municipal Aid Road Fund contract for the fiscal year 2012/2013**. Rob Moore seconded the motion. Roll call vote showed six yeses and no noes. Motion carried.

Stuart Oehrle made a motion to adjourn the Municipal Aid Road Fund public hearing, and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**

## Cold Spring City Council Special Meeting May 29, 2012

The special meeting of the Cold Spring City Council, as advertised, was called to order at 7:30 pm by Mayor Mark Stoeber. Roll call showed the following members present - Lou Gerding, Dave Guidugli, Rob Moore, Kathy Noel, Stuart Oehrle and Adam Sandfoss. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Steve Taylor and City Attorney Brandon Voelker. This special meeting takes the place of the regular May 28<sup>th</sup> council meeting which was cancelled due to the Memorial Day holiday.

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

Mayor Stoeber reviewed items of interest in the community. We recently held our annual art show "Art in the Park", on Saturday May 19<sup>th</sup>, which showcased artwork from our three Cold Spring elementary schools, Cline, Crossroads, and St. Joseph. In addition to visual art, the elementary students also had various forms of performing art demonstrations. It was a wonderful time with good attendance. Next year we may expand this a bit, since many of our Cold Spring students attend the middle school.

The city will be having its second annual Health Expo in front of the city building, on Saturday, June 23<sup>rd</sup> from 9 am to 1 pm. The Cardiology van and the Mammography van from St. Elizabeth's will be here also. Last year, someone using the cardiology van was found to have a blockage, went to their doctor the next day, and had surgery which saved their life. That in itself made the day worthwhile.

The Park Board is having a series of family oriented Movies in the Park, and the first one will be on Saturday, June 23<sup>rd</sup>, beginning at dusk. The featured movie will be "Happy Feet 2".

Mayor Stoeber stated that the city is very privileged to have hard-working young men pursuing the Cub Scout / Boy Scout life, with the culmination of their achievements being awarded as Eagle Scout. Mayor Stoeber stated that he knows from watching one of his neighbors, the level of effort and longevity that an Eagle Scout goes through. It is not an overnight process. It is quite an accomplishment. Troop leaders put in a great deal of effort to support these young men. Mayor Stoeber asked Eagle Scout Remington Blake Hackbarth and his family to step forward. He then read a proclamation before council and the cable board camera, and a round of applause was given by all.

The May 23, 2011 regular council meeting minutes were reviewed by all. Stuart Oehrle made a motion to approve the minutes and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

**Ordinance 12-989 was read in summary form for the first time, enacting and adopting the 2012 supplement to the Code of Ordinances.** Rob Moore made a motion for approval, and Dave Guidugli seconded the motion. Lou Gerding questioned whether Attorney Brandon Voelker had a chance to review these, stating that sometimes mistakes are made in the printing and so forth. Brandon Voelker assured council that he will look these over before the second reading. Roll call vote showed six yeses and no noes. **Motion carried.**

**Ordinance 12-990 was read in summary form for the first time, for the adoption of the amended budget for the 2011-2012 fiscal year.** Dave Guidugli made a motion for approval, and Stuart Oehrle seconded the motion. Lou Gerding questioned the estimated fund balance for M.A.R.F. which showed \$352,388, and the legal notice for the M.A.R.F. meeting showed \$253,000 fund balance. He questioned the discrepancy between the legal notice and the ordinance and wondered if this was just a typo. Steve Taylor confirmed that the correct figure is \$352,388. Brandon Voelker stated that adequate publication of this public hearing was given, and the figure in the legal notice does not create an issue for the action that was taken tonight. The only thing that you have to legally provide in the notice is what this body is considering, with as much detail as you can. Clearly you have said that we have taken action by looking at the large numbers and responding to them at this first reading. Roll call vote showed six yeses and no noes. **Motion carried.**

**Ordinance 12-991 was read in summary form for the first time, for the adoption of the budget along with the pay plan for the 2012-2013 fiscal year.** Kathy Noel made a motion for approval and Dave Guidugli seconded the motion. Lou Gerding questioned if this is the ordinance that was received by Council tonight. Steve Taylor stated that the original ordinance had estimated the M.A.R.F. funds to be at \$63,000, but he received the contract from the State just this afternoon and the funds were at \$56,265. The ordinance was amended to show this adjustment. This amended ordinance which council received tonight is the one we are asking to be adopted. Roll call vote showed six yeses and no noes. **Motion carried.**

The next item on the agenda was **Police Department surplus excess property**. Ed Burk stated that they have two police cruisers to be declared as surplus, and as we have done in the past he would like for both of these to be **donated to the city of Booneville, in Owsley County, Kentucky**. Stuart Oehrle questioned the mileage on each. Chief Burk stated one has approximately 120,000 miles and the other has approximately 100,000 miles. Lou Gerding stated that we should sell these cruisers.

Discussion followed. Adam verified that we donated two police cruisers to Booneville the last time we had surplus cruisers, and that they are using them. He questioned how much money we might get for selling these cruisers. Mayor Stoeber estimated the selling price to be around \$2,000 each. Dave Guidugli verified that other cities donate items such as this quite often. He questioned if we had ever suggested that they pay something for these vehicles, or perhaps half of the value. You like to help out the smaller cities, but if you do it over and over again perhaps it is time that we should receive something. Mayor Stoeber stated that Booneville and Owsley County are the most impoverished city/county in the United States. They are beyond the definition of poor. At one time we tried to get them a "bucket truck" to change light bulbs in their city and their only requirement was a contribution of \$2,000, but they couldn't come up with that money.. Chief Burk stated that their economic woes continue and they are not getting better.

Stuart Oehrle made a **motion to donate the police cruisers**, and Adam Sandfoss **seconded the motion**. Roll call vote showed five yeses and one no – Lou Gerding. **Motion carried**.

**Resolution 12-02** was read, **authorizing the PNC Master Lease Agreement**. Steve Taylor stated that this is the lease for all of new technology that was approved in last year's budget. It has just taken awhile to get everything in line. This is just a resolution with PNC Bank in order to finance this technology. Dave Guidugli made a **motion for approval**, and Stuart Oehrle **seconded the motion**. Rob Moore verified that this was brought up in last year's finance committee budget talks. Mayor Stoeber stated that when the capital expenditure for the IT program was approved, it was identified that it would be advantageous for the city to lease it over a three year period.

Lou Gerding stated that the paper document of the Resolution had wording that stated that terms were herein provided and it also referred to schedules attached to the master lease, but he did not have those attachments, only one piece of paper. To vote on this, we should have these documents or be able to look at them before tonight's meeting, and it should have gone to the finance committee if it is about dollars and cents. Councilman Gerding stated that it is his responsibility as a council member to make sure that the terms are good for the citizens and he doesn't have those attachments in front of him. Dave Guidugli stated that this was already talked about last year. We set the perimeters at that time.

Stuart Oehrle verified that it did go through finance last year, but not through finance this year. Mayor Stoeber stated that this year's finance is the same as last year. Steve Taylor stated that we tentatively approved between \$85,000 and \$90,000 for the entire technology package, and the final figures come in at \$77,000. This is a three year lease, at 3.59 percent over a three year period. Dave Guidugli verified that it met all of the criteria that they talked about last year, and nothing has changed, except that it is cheaper than they thought it might be. Roll call vote showed five yeses and one no – Lou Gerding. **Motion carried**.

Council comments followed. Adam Sandfoss stated that for the second straight year, Cincy Magazine has named the city of Cold Spring as one of the top cities to live in the tri-state area, ranking in at number twelve, and only one of four Northern Kentucky cities in the top twenty. He is very proud over the way our city has continually improved and we want to keep going in that direction. The rankings were based on security, access to highways, schools, and the economic environment of each city. Last year we were ranked as number twelve also. He suggested possibly getting a sign to say we were named the twelfth best city to live in, in the tri-state area. Our residents will be very proud to know that. Also it can be placed on our website. Mayor Stoeber stated that our police department delivers packets to new residents and perhaps Chief Burk can contact Cincy Magazine for reproduced copies and deliver them along with the packets as well.

Councilman Sandfoss wanted to thank all of the residents who voted in the primaries on this past Election Day. The turnout was pretty low, but hopefully this fall, with it being the presidential election, he hopes that we get a higher voter turnout. It is our right and privilege and something that we should all be actively participating in. It is always exciting to be part of the process.

Kathy Noel commented on the roadwork being done on Andrew Circle. The city contracted to have that road replaced, and Councilwoman Noel stated that she had a separate contract to have her own driveway replaced, as did one of her neighbors. The left side of the road from Madonna to #7 Andrew was scheduled for removal on Wednesday. It was at the contractor's judgment to remove her driveway as well as her neighbor's driveway on that same day since their driveways were in the same section. By doing it this way, instead of bringing the equipment back later and possibly damaging the new street, it allowed for a

clean removal. This work was done without any type of interruption or delay to the city's project, nor did it affect any cost to the city, nor did it cause a delay in the pouring of that section on Thursday. She wanted to make it clear that she and her neighbor's contracts were separate from the city's contract, and hopefully this will clarify some of the rumors.

Councilwoman Noel stated that ever since her son was commissioned, she flies an Army flag at her house in his honor. This past week our maintenance crew put out our US Flags on US 27 and this year they added military flags to honor all of the different branches. This was a very nice touch, and she thanked Steve Taylor for this great idea.

There were no additional council comments, attorney comments, or mayor comments.

Stuart Oehrle made a motion to enter into executive session per K.R.S. 61.810 – C Litigation. Kathy Noel seconded the motion. All were in favor. Motion carried.

In executive session, Kathy Noel recused herself, due to a conflict of interest.

Stuart Oehrle made a motion to come out of executive session, and Adam Sandfoss 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 May 29, 2012 special meeting and Rob Moore seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**