

Cold Spring City Council March 26, 2018

The meeting of the Cold Spring City Council was called to order by Mayor Angelo Penque. Prayer and Pledge to the flag was led by the city clerk. Roll call showed the following council members present – Adam Sandfoss, Lou Gerding, Brenda Helton, Michael Ruscher, and Lisa Cavanaugh. Chris Ampfer was excused. Also present were Administrative Officer Stephen Taylor, City Attorney Brandon Voelker, City Clerk Robin Sweeney, and Police Chief Steve Collinsworth, Ronnie Hitch, Public Works was excused.

Mayor Penque gave the exit instructions, per Fire Department regulations.

Additions and deletions to the agenda – none.

Items of interest to the community - There is Veteran's assistance available at the city building on the 3rd Thursday of every month. This is for Cold Spring residents only so please spread the word if you know a veteran who made need any assistance at all. You can call the city building to set up an appointment with Mike Disney who donates his time to help our veterans.

Arbor Day is April 28th from 10:30 to 11:30 am at the City Building. Mayor Penque will be out of town, but Councilman Ruscher will be there for him. There will be trees given away.

There will be a drawing to win an American flag at the end of the meeting, Mayor Penque urges all Cold Spring residents to enter their name.

The February 26, 2018 council meeting minutes were reviewed by all. Lou Gerding made a motion to approve, Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

Scheduled guest – Dan Schultz with the Central Campbell County Fire Department approached the council and gave a brief synopsis of what was in their annual report. They cover 19 square miles in their district. They have 23 career staff, 6 volunteers, 5 part-time workers, and 2 interns. This allows them to have 7 people on shift every day. In 2017 they had just under 2,598 runs, of those 804 were fire calls 1,794 were EMS which makes them the second busiest department in the county. Aside from emergency calls they also do building inspections in every building in the city every year. They also provide public education events, which include station tours. They are also kept busy with training, staffing at BB&T arena, and they provide mutual aid to surrounding cities.

Unscheduled guests – none.

Old business – none.

Under new business, Mayor Penque invited Chief Collinsworth to recognize Irvin Davis for his promotion to Sargent. After an extensive search within the department, Irvin was chosen for the position.

Ordinance 18-1041, 1st reading to approve an ordinance amending the Cold Spring Zoning Ordinance adding 'drive through' as a conditional use within the SDA (Special Development Area) Zone. Adam Sandfoss made a motion. Brenda Helton seconded the motion. Lou Gerding read the ordinance and the purpose of the SDA, he sees no reason why should allow drive through windows in the SDA zone. He doesn't think that this helps the general welfare of any resident that might be adjacent to a drive through. He doesn't feel that anyone would want to hear someone ordering at a drive through at 6am. Mr. Gerding said the SDA zone was established many years ago for this reason, so that it wouldn't have an impact on the residential areas around it. He does not think this is necessary, and it is not good for the citizens of Cold Spring. Michael Ruscher asked where the current SDA zones are. Brandon Voelker said it is basically the US 27 corridor. There was some discussion of what areas meet the criteria proposed in the ordinance. Adam Sandfoss said to keep in mind that US 27 is basically Cold Spring's "main street" and his concern is that it will turn into all drive throughs along US 27 if that is where all of the SDA zone is. Lisa Cavanaugh said that it is a good thing to have new businesses come into the city because payroll taxes is a benefit to the city. Mayor Penque said that when we gave the citizens a survey in regards to the comprehensive plan, the responses showed a very high number of residents wanting more restaurants. Brenda Helton added that she has seen many drive throughs that don't look like your typical drive through. The restaurants in Cold Spring can be held to a higher standard, and when the plans come to Planning & Zoning, it can be discussed at that time. Lou Gerding stated that a decision like this should be left to council, because they were

elected and have to answer to the citizens, he said it will have an impact on the city. Adam Sandfoss said there are also many residents who don't want Cold Spring to turn into another Beechmont Avenue with drive throughs everywhere. Michael Ruscher asked for some clarification on the regulation that states "minimum lot width at building setback line - one hundred seventy (170) feet on an arterial street". Brandon Voelker stated that there cannot be a curb cut off of 27, the entrance to the business would have to be off of an arterial street, this is to avoid each business having a curb cut so you're not stopping all of the time for people to turn into businesses. Michael Ruscher understands the concern of being near residential areas and not wanting drive throughs everywhere, but he does not want to limit the city to not allowing certain businesses in here. It may seem like a good idea now, but it could be an issue down the road. It could cause people to move north, or to move south. He said the traffic is going to be an issue regardless of the decision made tonight. Adam Sandfoss said that you can't be too selective. Lou Gerding said that if a business really wants a certain lot, they will spend the money. There was some discussion about the aesthetic requirements that the SDA zone has, such as a sloped roof. Roll call vote shows 3 yeses 2 noes – Gerding and Sandfoss. **Motion carried.**

Municipal Order 18-04 reappointing Mike Foulks to the Planning and Zoning Commission. Lou Gerding made a motion to approve. Lisa Cavanaugh seconded the motion. All in favor. **Motion carried.** Brenda Helton added that Mr. Foulks did a great job conducting the March P&Z meeting, Michael Ruscher agreed.

Municipal Order 18-05 reappointing Debbie Popovich to the Parks, Recreation and Tree Commission. Adam Sandfoss made a motion to approve. Michael Ruscher seconded the motion. All were in favor. **Motion carried.**

The next item on the agenda was the April meetings. Mayor Penque stated he will be out of town and would like to cancel the council meeting and have a special meeting before the caucus meeting. Council decided to cancel the council meeting, and have a special meeting immediately followed by caucus.

The next item on the agenda was for council to give authorization to the Mayor to sign the Red Devils contract. Adam Sandfoss made a motion to approve. Michael Ruscher seconded the motion. Adam Sandfoss said that nothing has changed from the contract. Michael Ruscher asked about the parking issue that was brought up in the past and asked if it was an issue this previous season. Steve Taylor said there were no problems. All were in favor. **Motion carried.**

Follow up citizen comments, none.

Department reports were submitted in writing. Brenda Helton stated that she has an animal control board meeting and hopes to get better information.

Council comments – Michael Ruscher asked about the trailer that is by Furniture Fair and if it is still there from when there was flooding. Steve Taylor stated that he will check to see who owns the property and try to get in touch. Lou Gerding stated there have been other tractor trailers parking there lately, he suggests to send a letter to the property owner. Michael Ruscher added that there is a tree blocking the Cold Spring sign on the AA. Lisa Cavanaugh congratulated Officer Davis for his promotion and she thanked Fire Chief Schultz for all that they do for the community. She thanked Public Works for all of their plowing and keeping the roads safe this winter. Ms. Cavanaugh also wanted to confirm that pulling out of Sturbridge is only lane. Steve Taylor stated that is correct and it will be striped when the weather breaks.

Mayor comments – Mayor Penque thanked the businesses that have donated sponsorships to the Park Events. The DAV, AP Schweitzer Insurance Agency, Wright Dental, Arby's, and Darling Ingredients have all sponsored our events. We thank you very much and look forward to our events. Unfortunately, the Easter Egg Hunt was cancelled due to the weather. We get a lot of great feedback about the Park Board functions. Mayor Penque announced that Circuit Court Judge Zalla will be at the City Building on April 14th at 9am for Coffee with the Mayor.

Steve Roach won the raffle for the American flag.

Michael Ruscher made a motion to enter into executive session per KRS 61.810 (B) Real Estate and 61.710 (C) Litigation. Lisa Cavanaugh seconded the motion. All in favor. **Motion carried.**

Lou Gerding made a motion to come out of executive session. Adam Sandfoss seconded the motion. All in favor. **Motion carried.** There was no action taken during the executive session.

Lou Gerding made a motion to authorize Mayor to extend lease term for Walnut Hills Academy through 6/30/2019. Michael Ruscher seconded the motion. Roll call vote showed 5 yeses and 0 noes. **Motion carried.**

Lou Gerding made a motion to adjourn the March 26, 2018 council meeting. Lisa Cavanaugh seconded the motion. All in favor. **Motion carried.**

Approved: 4/9/18

City Clerk: /s/ Robin Sweeney

Mayor: /s/ D. Angelo Penque