

**Cold Spring City Council
Special Meeting
October 9, 2008**

The special meeting of the Cold Spring City Council, as advertised, was called to order by Mayor Mark Stoeber. Roll call showed the following present Charles Gray, Dave Guidugli, Rob Moore and Kathy Noel, excused – Lou Gerding and Stuart Oehrle.

Ordinance 08-953, establishing the property tax, tangible tax, and motor vehicle tax rates at \$0.1690 per hundred of the assessed value, and waste collection fees at \$170.76 per unit per year, was read in summary for the first time. Rob Moore made a motion to approve this ordinance. Motion was seconded by Charles Gray. Roll call vote showed four yeses and no noes. Motion carried.

Dave Guidugli made a motion to adjourn. Rob Moore seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Public Hearing
October 9, 2008**

A public hearing was called to order by Mayor Mark Stoeber for the purpose of hearing comments from the public regarding the institution of proposed tax rates for the City of Cold Spring, as advertised pursuant to KRS 132.027. Roll call showed the following present – Charles Gray, Dave Guidugli, Rob Moore and Kathy Noel, excused – Lou Gerding and Stuart Oehrle.

Sandy Ross, of 210 Thornbush Court, was present. She requested a clarification of the compensating tax rate, and the proposed tax rate. She asked when the last time our property taxes were raised, and she questioned how the bottom line will be affected with the conditions of the real estate market and the valuations as they are today.

Mayor Stoeber explained that K.R.S. requirements allow the rate to be set at a calculation to guarantee the city the same amount of revenue as that which was received last year, without input from the residents. The nature of the compensating tax is to level the income, however there is no mechanism in place when the revenues level out and the expenses go up. Any form of rate increase requires a public hearing to advise residents of the intent of raising taxes and allow their input. The law says you can take up to a four percent increase of the compensating tax rate and have a public hearing, not subject to citizen vote. If you go over that four percent, with citizen signatures it can go on the next ballot and can be rescinded.

Mayor Stoeber said that the real and personal property do not have to have the same tax rate, but the city does it that way. The city has taken the four percent every year. Normally the property values go up and the tax rate stays the same or go up a minimal amount. This is the first time the tax rate has actually increased from the prior years' rate, but it is actually one third less than what it was ten years ago.

We did a long term plan because at some point we knew our new property values would level out, and in fact it has. The base values of properties in the city are the lowest in the amount of new values in the city in the last seven years. The PVA is due to assess the properties again, probably next year. Six years ago and three years ago, they raised the values, but it is believed that this time they will drop. House costs have plummeted. That is why we are going from .162 tax rate to .169 per hundred which is compensating tax rate (.163) plus four percent allowable rate. If we don't take this rate, we can never catch up.

Out of eighteen cities in this area, Cold Spring has the fourth lowest tax rate. The highest rate is .333 which is double ours. We have benefited greatly from growth but that will be slowing or stopping this year or next year.

There were no other comments from the public.

Rob Moore made a motion to adjourn the public hearing. Motion was seconded by Dave Guidugli. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Special Meeting
October 13, 2008**

The special meeting of the Cold Spring City Council, as advertised, was called to order. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore, and Kathy Noel, excused – Stuart Oehrle.

Mayor Stoeber pointed out the exits as required by Fire Department regulations.

Ordinance 08-953, establishing the city's property tax, motor vehicle tax and tangible property tax at .169 per hundred and establishing garbage collection fee at \$170.76 was read in summary form for the second time. Mayor Stoeber stated that we had a public hearing on these items, as well as a special meeting on October 9th for the first reading. Rob Moore made a **motion to adopt this ordinance** and Dave Guidugli seconded the motion. Roll call vote showed all in four yeases and one no – Lou Gerding. **Motion carried.**

Ordinance 08-951, establishing the city position entitled city administrative officer, was read in summary form for the second time. Lou Gerding made a motion to adopt this ordinance and Charles Gray seconded the motion. Dave Guidugli requested that on the second page item F, the word "his" be removed, and he also questioned if the ordinance should require additional wording to include the writing of grants. Brandon Voelker stated that under item 9 it includes wording for additional duties delegated by the mayor, and this would give the mayor the authority to require additional duties, such as grant writer. Roll call vote showed five yeases and no noes. **Motion carried.**

Ordinance 08-952, establishing a pay plan for the city administrative officer, was read in summary form for the second time. Dave Guidugli made a motion to adopt this ordinance and Rob Moore seconded the motion. All were in favor. Motion carried.

Resolution 08-03, authorizing the city clerk to be a co-signer on checks written on all Cold Spring bank accounts, was read. Kathy Noel made a motion to approve this resolution and Lou Gerding seconded the motion. All were in favor. Motion carried.

Brandon Voelker stated that the map on the nursing home facility that was seen and approved by the Cold Spring Planning & Zoning Commission and Council had shown the entire property outline. When the engineer for this development submitted the metes and bounds, there was an error in the submission which did not include the small triangle on the side closest to the retention area. For title purposes, Anne McBride asked that the minutes reflect that the entire area, including that small triangle, is what the legal description should be and is what was approved to be zoned R-1DD. Dave Guidugli made a **motion to approve this reconfirmation that the plat drawing, including all of Lot 7 as submitted at the original application, is what was approved to be rezoned from NC to R-1DD residential, to allow for the development of the transitional Care Center.** Rob Moore seconded the motion. Roll call vote showed fives yeases and no noes. **Motion carried.**

Brandon Voelker reported that with the new roadway for Carespring , the un-inspected area of the Plaza Drive roadway must be addressed. He met with Scott Hiles, NKAPC and Don Thelen, of Thelen Geotech. The only thing not inspected on that roadway was the top surface, about 1 ½ to 2". Everything else, include sub-base was inspected. Because it is only the top coat, Brandon Voelker recommends that Thelen Geotech develop a testing to obtain core samples of the roadway, taking cross sections that will show that the roadway is sound. If the roadway is not sound, it will be up to the developer to fix it. We need to make sure that once Carespring is built, we have a dedicated public street all of the way through.

Kathy Noel questioned why NKAPC did not do the inspections. Brandon Voelker stated the road had been built and inspected and was just waiting for the topcoat. The construction contractor made a mistake and came in and put up the final coat without inspection. Kathy Noel verified that NKAPC has documentation on previous inspections of that road.

Rob Moore verified that this would be done at the expense of the developer and there would be no financial responsibility of the city. Dave Guidugli said he would like to see proof of the inspections, and Lou Gerding said the top coat is very important. He doesn't want to be rushed into accepting this tonight. Brandon Voelker suggested that we have Scott Hiles come to the November caucus with supporting documentation of all that they have done.

Lou Gerding made a motion to adjourn. Dave Guidugli seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

Cold Spring City Council October 27, 2008

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 present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore and Kathy Noel – Stuart Oehrle was excused. Also present were Ed Burk, Rita Seger, and Brandon Voelker.

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

Cindy Wehry with the Parks, Recreation and Tree Commission announced that the October winners of the Yard of Month award are David and Brenda Aubrey, of 970 Pooles Creek Road. This is the last Yard of the Month award for 2008. Mr. and Mrs. Aubrey received a framed, matted photograph of their home and yard, and also a \$25.00 gift certificate from Meijers Cold Spring Store. Mayor Stoeber congratulated and thanked Mr. & Mrs. Aubrey.

Dave Guidugli, who is our representative on the Cable Board, announced that on Tuesday, November 11th a public hearing will be held at 6:30 pm the Southgate Community Center, 301 West Walnut Street. The public hearing is regarding bid proposals from parties interested in operating competitive cable television systems within the confines of the Cable Board's jurisdiction. Input will be received from the public on the pros and cons of negotiations with Cincinnati Bell's competitive cable television bid proposal. Mayor Stoeber questioned if residents will eventually be able to choose which cable service they have, or if one service takes all. Dave Guidugli stated that it will be competing services between the two, at each household level, although Cincinnati Bell will not come in and do countywide right away because of the expense, but they are looking into targeting certain areas in the county for now. Mr. Guidugli stated that we need a lot of people to come in and voice their opinions.

Day in the Park was held on Sunday, October 5th. It was a beautiful day and we had a wonderful crowd. There were many things to do and it was so much fun for the children. Mayor Stoeber expressed his appreciation to the Parks, Recreation and Tree Commission for all that they do.

Halloween will be held on Friday, October 31st from 6:00 to 7:30 pm. Please be extremely careful and watch out for the children when driving home from work.

Election Day will be held on Tuesday, November 4th. Polls are open from 6:00 am to 6:00 pm. All votes are very important. Please show your support and vote for your new council members, and let them know you are encouraging them.

Our Veteran's Day Service will be held on Sunday, November 9th at 1:00 pm at our Veteran's Memorial. We hope to see everyone there for this very honorable and memorable event.

Mayor Stoeber added an important item of interest on a topic that is sadly the number one community issue in the city, which is drug activity. Cold Spring is not any worse than any other city, but he doesn't want to be blind to say that it doesn't exist or that we are better than anyone else. He has asked Police Chief Ed Burk to give us an awareness of this drug activity. If you are aware of, see or are concerned about drug activity in your neighborhood, you can call 911 or the county dispatch.

Chief Ed Burk stated that drug activity is the number one real crime issue in the city. From January 1 to September 30th of this year, there have been fifty drug arrests within the city, thirteen in the first quarter, twenty-one in the second quarter and this last quarter there were sixteen arrests for drug activity. Mayor Stoeber stated that is one arrest every two days in the city. Look for it and watch for it.

Chief Burk reviewed the number of arrests made for possession of marijuana, trafficking marijuana, possession of a control substance such as prescription items not in a proper container or they do not hold a prescription, possession of a controlled substance such as cocaine or crack, possession of hydrocodone, and possession of drug paraphernalia. Thirty one of these arrests were on US 27, Industrial Road, and the AA Highway. Many of these arrests were a result of traffic stops. Mayor Stoeber stated that it is amazing how our officers can turn a traffic stop into a drug arrest very quickly. They are very skilled.

Chief Burk gave a breakdown on the cities where the fifty of those arrested resided. He stated that four of them were actually residents of the Cold Spring. Many of these drug arrests are a result of them stealing money to pay for their drug habit.

Last year we had seventy five DUI arrests by officers in the city. These people were taken off the street which makes residents' lives a whole lot safer. Most of the DUI arrests were made by Officer Nick Love, who is one of the newest officers in our department. He is also the officer who has made the most drug arrests in the city. The county prosecutor was invited to a conference down in Lexington and he was asked to invite one law enforcement officer from the county. He requested that Nick Love be that officer to represent the county. This is quite an honor and speaks well for Officer Love's dedication and hard work.

Ed Burk stated that if you see something that looks unusual, such as people hanging in an area, talking, passing things back and forth and it doesn't look right, call dispatch and have an officer come and check it out.

Mayor Stoeber said that by using the arrest records of last year, that averages to slightly one DUI in the city per week. With every one that gets caught, there are many more out on the streets regularly. Any of these could have been witnessed by someone in the city. Help our police force and more importantly our community by just watching. If something doesn't look right, call county dispatch, they do not mind getting your call.

Rob Moore verified that you can call 911 for this, especially if you feel that this is an emergency and you really feel this is an active drug deal or an assault. Ed Burk concurred, but it would be better to phone the dispatch number unless you feel it is an emergency. Brenda Helton verified that the dispatch number is 292-3622.

There will be a drawing for a flag for any resident remaining at the end of this meeting.

The minutes of the September 22nd council meeting were reviewed by all. Dave Guidugli made a motion for approval and Lou Gerding seconded the motion. All were in favor. Motion carried.

The minutes of the October 9th public hearing were reviewed by all. Rob Moore made a motion for approval and Kathy Noel seconded the motion. All were in favor with the exception of Lou Gerding who abstained.

The minutes of the October 9th special meeting were reviewed by all. Charles Gray made a motion for approval and Kathy Noel seconded the motion. All were in favor with the exception of Lou Gerding who abstained.

The minutes of the October 13th special meeting were reviewed by all. Lou Gerding made a motion for approval and Rob Moore seconded the motion. All were in favor. Motion carried.

Resident Keith Van Meter thanked the Police Department for their vacation checks, 121 times, while he was away. They did a fine job and he appreciated it.

Municipal Order 08-09 was read, appointing Joan Aker to the Cold Spring Parks, Recreation and Tree Commission to fill a vacancy which will expire on July 19, 2011. Kathy Noel made a motion to approve this appointment and Lou Gerding seconded the motion. All were in favor. **Motion carried.**

Mayor Stoeber stated that our finance office is in a transition period with Tom Benke's retirement. This month's finance statement will be corrected next month to reflect the correct interpretation of percentages to actual budget spent.

Chief Ed Burk stated that because of the new School Resource Officer, we have had no calls to the Co-op School last month, and only two for this month. This number is way down.

Mayor Stoeber stated that public works is actively working, sealing, repairing streets and are quite busy.

Rob Moore voiced his concern about Park Board grants which need to be renewed each year. Mayor Stoeber stated that we will have our current bookkeeper check on this.

Charles Gray stated that a couple of churches, Immanuel Baptist and First Baptist Church in the Cold Spring community are holding "Truck or Treat" programs on Friday night, where they have trucks set up and give away a lot of goodies.

The American flag and pole were awarded to David Aubrey of Pooles Creek Road.

Dave Guidugli made a motion to enter into executive session per K.R.S. 61.810 C – Litigation. Rob Moore seconded the motion. All were in favor. Motion carried.

Motion to come out of executive session was made by Charles Gray and seconded by Dave Guidugli. All were in favor. Motion carried. No action was taken as a result of this executive session.

Motion to adjourn the October 27th regular council meeting was made by Lou Gerding and seconded by Dave Guidugli. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: