

Cold Spring City Council

May 23, 2011

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, Dave Guidugli, Kathy Noel and Adam Sandfoss – excused were Rob Moore and Stuart Oehrle. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Steve Taylor and City Attorney Brandon Voelker.

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

Mayor Stoeber stated that Arbor Day was held on Saturday, April 30th at our Municipal Park. This event was well attended. Dogwood seedlings were handed out. The city is very committed to expending money to bring trees into our community and Mayor Stoeber complimented the Parks, Recreation and Tree Commission for their efforts.

Mayor Stoeber reported on his personal commitment to “Get Lean Cold Spring”. He has lost six pounds this month, for a total weight loss to date of sixteen pounds. He is on track to where he wants to be in November. The City of Cold Spring’s Health and Wellness Expo was held on Saturday, May 14th, and unfortunately there was a very small turnout because of very heavy rains. There were a variety of vendors on hand, and St. Elizabeth’s Mammography and Cardiovascular vans were present. These vans were successful and were booked quite extensively. Mayor Stoeber was informed that one person having a cardiovascular workup was found to have a very serious and threatening medical issue for which he/she sought immediate attention, and this may very well have saved his/her life. He can’t recommend this workup enough.

A slide presentation entitled “When is healthy not healthy” was shown by Mayor Stoeber. It was based on a study that was published in the paper recently which said that Campbell County’s health ranked 21st out of 120 counties in Kentucky. This survey was a predictor of future health, but it also showed what it looks like today. The state of Kentucky ranks in the top percentages for being one of the unhealthiest of the states, from 50th in smoking, 49th for heart disease, 43rd for cardiac deaths, 47th for diabetes, 49th for high cholesterol, 44th for physical activity, and 45th for strokes. The United States ranks the highest in the world for obesity. In Campbell County, 29 percent of its residents are obese. From this we can gather that Campbell County may be ranked the 21st future healthiest county in Kentucky, but he is not sure we will live to see it. This is all the more reason why we have this health initiative which must be a grass roots initiative.

Another of this year’s initiatives is Art in the Park, which was held on Saturday, May 21st. It was a day of wonderful weather and we had a great turnout. Children from St. Joseph, Cline, and Crossroads Elementary Schools displayed over 150 works of art, both two and three dimensional. There were special presentations each hour by each of the schools, featuring chorus groups, maypole dances, and a play performance. We have had wonderful feedback from the schools. Some of the art work was quite outstanding.

The Campbell County Library, Cold Spring Branch has wonderful and numerous arrays of programs and events going on throughout the upcoming month. For further details call our city clerk, or call the Cold Spring branch library.

There will be a raffle of an American flag and pole, along with a health and wellness book to a resident who stays until the end of the meeting.

The minutes of the April 25, 2011 regular meeting were reviewed by all. Lou Gerding made a motion for approval and Dave Guidugli seconded the motion. All were in favor. Motion carried.

Mayor Stoeber stated that as part of our “Buy Cold Spring” promotion, we have allowed four of our local businesses to give three minute presentations to promote themselves at our last two council meetings, and this will be continued tonight.

Raniero’s Pizzeria was scheduled, however were not present presumably due to the inclement weather. Mayor Stoeber stated that he has eaten at Raniero’s and can vouch that their pizzas are fabulous.

Next introduced was Paws & Claws Animal Hospital. Doctor Tony Hall, co-owner, was present and stated that they are located south of the Meijers Store at 5730 Alexandria Pike. His wife is the other owner. They are a full service hospital, and they also board animals and are the only clinic in Northern Kentucky that has outdoor time for the dogs on the grass on 3/4th of a fenced in acre. They do a full array of surgeries, and his wife is the only registered behavior society veterinarians in all of Northern Kentucky. They have been at this location since January, 2000, and when you come in, they may not know your name, but they will for sure know your pet’s name.

Connie Coots with Insurance and Investment Group, exclusive Allstate agent was introduced. She stated that they have two locations, one in Edgewood and the other at 3780 Alexandria Pike across from the DAV. They are Allstate's only premier agency in all of Northern Kentucky. They are open Mondays thru Thursday from 9 am to 8 pm, and on Fridays from 9 am to 6 pm and on weekends by appointment. They specialize in auto, home, and life insurance and investments. They offer preferred package discounts. They are saving family, friends and neighbors in our community a lot of money on insurance. For assistance with your insurance or investments needs, please call 781-3900 or e-mail connie@allstate.com.

Studio 27 Salon was introduced. Melissa Zumwalde stated that they are located at 4029 Alexandria Pike, right next door to the Park and Ride. They are a family hair care and full service salon. Their phone number is 441-9046. They offer color, highlights, perms, nails, massages, waxing and the latest hair styles. They will take appointments or walk-ins. Brenda Schnitzler has been a hairdresser for twenty-five years has been with Studio 27 since they have opened. She loves to be creative with new looks and thanks everyone who comes into the shop. Kelly Hill has been a hairdresser for fifteen years and she specializes in hair care, manicures and pedicures, with shellac nail polish. She also introduces a new hair care product line called Thermafuse. Tina Hickman has been a hairdresser for twenty years and at Studio 27 for six. Linda Witte has also been a stylist for twenty years, and with Studio 27 for six years. Melissa Zumwalde, owner, has been a stylist for twenty years. This is their six year anniversary at this location. As part of serving the community they will host a "hair-a-thon" on August 22nd to help Foster Kids.

Mayor Stoeber stated that each month, we have found how wonderful and how diverse our city businesses are. There are very few things that you have to leave our city to find. Mayor Stoeber thanked the businesses for their presentations and hopes this helps their businesses. Adam Sandfoss requested that when we have our new website updated, we provide a list of our businesses along with their links.

Ordinance 11-975 amending the current 2010-2011 budget was read in summary form for the first time. Dave Guidugli made a motion for approval, and Adam Sandfoss seconded the motion. Lou Gerding stated that on page 2 of this ordinance, it indicates an attachment A, but there is none. The exhibit that he does have is for the pay plan for 2011-2012. Brandon Voelker stated that this pay plan attachment refers to the pay plan that was approved at the 2010-2011 budget reading last year. He suggested at the second reading, we delete that wording in Section II, since that pay plan has already been passed and published. We are only amending Section I tonight. Roll call vote showed four yeses and no noes. Motion carried.

Ordinance 11-976 adopting the 2011-2012 annual budget with pay plan was read in summary form for the first time. Mayor Stoeber stated that he will have his annual budget message at the June 27th council meeting. Thanks to Steve Taylor, the department heads, the finance committee and council as a whole for all of their hard work on this budget. Dave Guidugli made a **motion to approve the 2011-2012 annual budget**, and Kathy Noel seconded the motion. Roll call vote showed four yeses and no noes. **Motion carried.**

Next on the agenda was the issue of a possible text amendment for zoning for **fireworks sales** in the city of Cold Spring. Adam Sandfoss stated that the state of Kentucky has passed a resolution allowing fireworks sales, but it doesn't allow cities a lot of leeway in terms of time. The busiest time for fireworks sales is before the 4th of July holiday. He hopes that council will discuss whether or not this is something they want to pursue further, through Planning and Zoning or if they want to back off of this issue for a few months to give us more time to discuss the possibility of fireworks in our area. We have someone interested in setting up this type business and Councilman Sandfoss had hoped that the business owner could be present tonight to answer any questions, but unfortunately he was not in attendance. Legality isn't at stake here, but there is an issue of safety. While we have to make enough time to review this, we should be able to take advantage of the business and people who would come into our city because of these sales, which would benefit our local businesses and restaurants.

Lou Gerding stated that the business owner should not be present here but at a public hearing. Dave Guidugli assumed that we would pursue this as we normally do and have our Planning & Zoning Commission conduct a public hearing. Kathy Noel questioned if this is something we might want to table tonight because two of our council members are not present. She would like to hear their input. Brandon Voelker stated that any change in a text amendment could be initiated by either this body or our Planning & Zoning Commission who would conduct a public hearing. Mayor Stoeber stated that procedurally council has to declare that they would like to sponsor a text amendment regarding fireworks. Brandon Voelker stated that Planning & Zoning will not put this on their agenda unless this board takes a formal vote stating that they would like to serve as sponsor of this text amendment. Kathy Noel verified with Brandon Voelker that NKAPC would do a review, and that by automatically sending it to Planning & Zoning, it doesn't imply that Council approves of this. Brandon Voelker stated that he assumes that Staff would set conditions on such sales. They would look at the use and the development control within the use. Council may receive a recommendation from our Planning & Zoning Commission, but that doesn't mean that this Council has to act on it.

Lou Gerding made a **motion to table the fireworks discussion** until the June 13th Caucus meeting, as shown on the agenda, at which time this Council may possibly send it to our Planning and Zoning Commission for a public hearing. Kathy Noel seconded the motion. Discussion followed. Adam Sandfoss questioned if we would get any more information by tabling this to caucus, and then sending it to the Planning and Zoning Commission. We would then have to have three meetings before action could be taken. This is just a long way around this as opposed to sending it to Planning and Zoning now for their input. Dave Guidugli agreed with Adam Sandfoss and stated that we have to come up with zoning in the city for fireworks sales instead of dragging it out even further. We should just go ahead and send it to Planning and Zoning now. That doesn't mean it will take effect in time to help this season.

Mayor Stoeber stated that the motion before council is whether or not this issue goes to caucus for further discussion by council. Roll call vote showed a tie vote of two yeses and two noes. Mayor Stoeber gave his vote of yes to break this tie, giving the motion to table a vote of three yeses and two noes – Dave Guidugli and Adam Sandfoss. He stated that his reasoning is that we have two absent council members and a split council as to what the decision is. In this situation discussion is always better than a forced decision. **Motion carried.**

Ordinance 11-977 for a **text amendment allowing indoor recreational activities in an Industrial Park zone** was read in summary form for the first time. Lou Gerding made a motion to approve this text amendment allowing indoor recreational activities in the IP zone, based on the supporting information as received in the packets from NKAPC and the Planning and Zoning Commission. Dave Guidugli seconded the motion. Roll call vote showed four yeses and no noes. **Motion carried.** Brandon Voelker requested that the second reading of this ordinance be heard before June 15th which is the scheduled closing date of the building where this activity will take place.

Mayor Stoeber stated that on June 13th we have a special meeting scheduled for the budget / pay plan ordinances, and he questioned if council would like to include this on that agenda. Council concurred.

As an addition to the agenda, **Ordinance 11-978 amending the Cold Spring code of ordinances for nuisances** was read in summary form for the first time. Brandon Voelker stated that a business took offense in some wording in our ordinance that they perceive may have infringed on their trademark. Brandon Voelker has reworded this ordinance to remove this perception. Dave Guidugli made a motion to approve this ordinance and Lou Gerding seconded the motion. Roll call vote showed four yeses and no noes. **Motion carried.**

Departmental reports were submitted in writing.

Dave Guidugli thanked Administrative Officer Steve Taylor for his work on the budget.

Lou Gerding stated that there is a sign at the bottom of Pooles Creek Road welcoming all to the City of Cold Spring, and this sign should be moved behind the entrance to the church, where the city boundary begins. This eliminates the problem of who responds to traffic accidents at the bottom of Pooles Creek Road and the AA Highway, which is in the City of Wilder.

Dave Guidugli questioned why there was no Yard of the Month on tonight's agenda. The City Clerk stated that she spoke to Cindy Wehry of the Park Board, and because of the rainy weather, most yard work has been delayed this year, and they decided to delay yard of the month and begin it in June.

There was no winner of the American flag, pole and the health gift at this month's meeting

Kathy Noel made a motion to adjourn the May 23, 2011 meeting and Dave Guidugli seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Municipal Aid Road Fund
May 23, 2011**

The 2011 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 2011/2012 fiscal year, as required by K.R.S. for accepting state funds. Roll call showed the following council members present – Lou Gerding, Dave Guidugli, Kathy Noel, and Adam Sandfoss – excused were Rob Moore and Stuart Oehrle.

Mayor Stoeber pointed out exits from the building, per Fire Department regulations. Because of the inclement weather he also pointed out the safe areas in the building.

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

For the record, Mayor Stoeber stated that resident Susan Newman of 3 Neltner Drive approached him before the start of the meeting expressing interest and approval in spending money for re-surfacing Neltner Drive. Due to the inclement weather Ms. Newman left before the start of the public hearing.

Mayor Stoeber stated that we are re-surfacing two streets and replacing one street.

There were no further comments from the public regarding the use of the M.A.R.F. funding.

Dave Guidugli made a **motion to approve Resolution 11-06 endorsing the Municipal Aid Road Fund contract for the fiscal year 2011/2012**. Adam Sandfoss seconded the motion. Roll call vote showed four yeses and no noes. Motion carried.

The Municipal Aid Road Fund public hearing / special meeting was adjourned by Mayor Stoeber.

Approved:

City Clerk:

Mayor: