

Cold Spring City Council February 25, 2013

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 – Lisa Cavanaugh, Lou Gerding, Dave Guidugli, Rob Moore, Kathy Noel, and Adam Sandfoss. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Stephen Taylor, and City Attorney Brandon Voelker.

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

As an item of interest to the community, Mayor Stoeber announced that the City of Cold Spring's annual Easter Egg Hunt will be held on Saturday, March 23rd, beginning at 1 pm at the front area of our Municipal Park. There will be four different age categories and we stagger the groups so that parents can be with their children if they are in different age categories. The Easter Bunny will be there so bring your cameras.

There will be a drawing for an American flag and pole for a resident staying until the end of this meeting.

The minutes of the January 28, 2013 regular council meeting were reviewed by all. Lou Gerding made a motion for approval and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

The minutes of the February 11, 2013 special council meeting were reviewed by all. Lou Gerding made a motion for approval and Kathy Noel seconded the motion. All were in favor. Motion carried.

There were no scheduled or unscheduled guests.

Ordinance 13-994 was read in summary form for the first time regarding the seating of council during meetings. Rob Moore made a motion for approval of this ordinance and Adam Sandfoss seconded the motion. Roll call vote showed six yeases and no noes. **Motion carried.**

Resolution 13-01 for the NKADD Regional Hazardous Mitigation Plan was read. Lou Gerding made a motion to approve this resolution, and Dave Guidugli seconded the motion. Dave Guidugli questioned Chief Burk if there were any changes to this large document. Chief Ed Burk related the history and said that this was started back in 2000, and in 2006 they mandated that everyone get on board with this. They have finally gotten this final wording together. The County had an emergency operations plan, and this is part of that but it is also for the State and the regions so that they can get a better handle on what is going on. Lou Gerding questioned if any cities have opted out of this. Chief Burk stated that they can opt out, but then they would have to develop their own plan. He doesn't know of any cities that have opted out at this time. Roll call vote showed six yeases and no noes. **Motion carried.**

The next agenda item is for the approval of the **Commonwealth of Kentucky Statewide Emergency Management Mutual Aid and Assistance Agreement.** Lou Gerding made a motion for approval and Rob Moore seconded the motion. All were in favor. **Motion carried.**

The last item of new business is for the **declaration of surplus items for the Police Department and Public Works Department.** Lou Gerding made a motion for approval, and Dave Guidugli seconded the motion. All were in favor. **Motion carried.**

Mayor Stoeber stated that we do have a **request from Booneville for the donation of the two police cruisers which are on the police department surplus items list, along with some additional miscellaneous surplus items.** Dave Guidugli made a motion to approve this donation, and Adam Sandfoss seconded the motion. Lou Gerding stated that last year we had an item under public safety that was not funded. He did not agree to giving the vehicles away last year because he thinks the money from selling these vehicles could fund those public safety items. At Kathy Noel's questioning, Mr. Gerding stated that the public safety items he is referring to are the street lights in Madonna. The safety committee had made the comment that you should have street lights spread 200 feet apart and we have some places where we don't have any within 1,000 to 2,000 feet.

Council Member Lisa Cavanaugh requested information on the past history for these donations. Mayor Stoeber stated that Booneville, Kentucky is in Owsley County. We developed a relationship with them and have been making donations to them for the last five years. Owsley County is the most impoverished county in the United States. Booneville is the city seat for that county.

There being no further discussion, roll call vote showed five yeses and one no – Lou Gerding. **Motion carried.** Mayor Stoeber thanked council for approving this donation, since they are truly needed in that area.

Departmental reports were reviewed.

Steve Taylor passed out an amended budget calendar to council.

Mayor Stoeber reminded everyone of the Easter Egg Hunt on Saturday, March 23rd.

Lisa Cavanaugh questioned who is responsible to take care of the ice buildup in front of the mailbox and onto the street on Millrace Drive. The city comes out and chips at it and salts it, but the problem has never been fixed. Steve Taylor stated that as a favor to the city, the homeowner used to go out and salt and clear the sidewalks because the mailboxes were there, and last year we gave him permission to pipe under the sidewalk into the curb cut. Ultimately the city is responsible for the ice there. We keep an eye on it, but the problem is that it dams up and flows further into the street. We scrap it and salt it but when the temperature is in the teens, the salt doesn't do any good.

Council Member Cavanaugh questioned if there was a permanent solution to this problem. Mr. Taylor stated that the solution would be to put a catch basin in and connect it to another catch basin further down the street. In order to do that, we would have to dig out four driveways and take out a section of the street that wast re-layed several years ago. We did have the city engineers look at it and the cost would run between \$26,000 and \$27,000 to run that extra catch basin and the pipe, and it was deemed that we would not pursue it at that time.

Lisa Cavanaugh verified that the homeowners were responsible for the trees in the right of way and they had to keep them trimmed. She questioned if code enforcement could send a letter to the homeowner to trim back trees that overhang the street. Chief Burk stated that he has sent letters to homeowners on trees that were planted by the homeowners, but he would have to take a look at the trees that are in the right-of-way. Mayor Stoeber stated that this would typically be taken care of either through Code Enforcement or by Public Works. We used to have an evergreen tree that grew over a sidewalk on Winters Lane and someone with a large holly tree that grew out into the street, and at that time we advised the property owner that it was theirs to maintain. Usually a simple notification will take care of this.

Dave Guidugli questioned Steve Taylor about our agreement with the County and questioned if we have received our salt from them. Mr. Taylor stated that we have received the salt and it is in our bins

There was no resident in the audience to the win the American flag and pole.

Rob Moore made a motion to adjourn the February 25, 2013 council meeting, and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor:

**Cold Spring City Council
Special Meeting
February 11, 2013**

The special meeting of the Cold Spring City Council, as advertised, was called to order at 8:30 pm by Mayor Mark Stoeber. Council members present were Lisa Cavanaugh, Lou Gerding, Dave Guidugli, Rob Moore, and Kathy Noel, - excused was Adam Sandfoss. Also present was City Attorney Brandon Voelker. The purpose of this meeting was to enter into executive session, per K.R.S. 61.810 C – Litigation.

Rob Moore made a motion to enter into executive session per K.R.S. 61.810 C. – Litigation , and Kathy Noel 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.

There was no action taken during executive session.

Dave Guidugli made a motion to **authorize the Mayor to execute a settlement agreement with Kentucky League of Cities, in case of Cold Spring v. KLC pending in the Fayette Circuit Court, consistent with the settlement terms and attachments set forth in KLC executive director John Steiner's letter to Mayor Stoeber, as well as the attachments thereto.** Kathy Noel seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

Rob Moore made a motion to adjourn the February 11, 2013 special council meeting and Lou Gerding seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: