

**Cold Spring City Council  
Special Meeting  
August 8, 2016**

The special meeting of the Cold Spring City Council was called to order by Mayor Angelo Penque. Roll call showed the following council members present – Chris Ampfer, Lou Gerding, Brenda Helton, Roger Jones and Adam Sandfoss - excused was Lisa Cavanaugh. Also present were Police Chief Brian Messer, Administrative Officer Stephen Taylor, City Attorney Brandon Voelker, City Clerk Rita Seger and Ronnie Hitch of Public Works.

**Ordinance 16-1028 was read in summary form for the second time, adopting the Kentucky Building Code and Kentucky Residential Building Code as promulgated per the interlocal agreement with Campbell County.** Lou Gerding made a **motion to adopt Ordinance 16-1028** and Adam Sandfoss seconded the motion. Roll call voted showed five yeses and no noes. **Motion carried.**

**Ordinance 16-1029 was read in summary form for the first time, adopting the IDDE Procedures Manual.** Brandon Voelker stated that this was part of the stormwater program. Adam Sandfoss made a **motion for approval** and Lou Gerding seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

**Municipal Order 16-04** was read, re-appointing Joyce Kinnett and Marilyn Taylor to the Parks Recreation and Tree Commission of the City of Cold Spring, with terms to expire July 19, 2020. Lou Gerding made a **motion for approval** and Roger Jones seconded the motion. All were in favor. **Motion carried.**

**Resolution 16-04 was read, opposing Campbell County’s home occupation text amendments.** Brandon Voelker stated that there was a public hearing regarding this issue which was attended by the mayor, attorney, and two Cold Spring council members. Even though we voiced some concerns about it, it has received first reading by the Fiscal Court. This resolution has been put before this council so that you can give your opinion before the Fiscal Court prior to the second reading. Lou Gerding agrees but he also would like to see Brandon Voelker explain this in front of the camera so that our citizens know what is going on. Brandon Voelker suggested that we go ahead with the resolution and we will put it on our next council meeting agenda for discussion. Brandon Voelker will then outline what the county is doing and why it is contrary to our zoning. Lou Gerding stated our residents should know which county commissioners and judge executive approve this or not so that they can be aware of it. Brandon Voelker stated that they want to grandfather in people who are doing unlawful zoning uses in the county. Almost all of our local cities have county properties bordering them and this is an issue of concern. Lou Gerding made a **motion for approval** and Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

Lou Gerding made a motion to adjourn the August 8, 2016 special council meeting at 7:22 pm and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**

## Cold Spring City Council August 22, 2016

The regular meeting of the Cold Spring City Council was called to order by Mayor Angelo Penque. He pointed out exits from Council Chambers, per Fire Department regulations. Prayer and pledge to the flag was led by the City Clerk. Roll call showed the following council members present – Chris Ampfer, Lisa Cavanaugh, Lou Gerding, Brenda Helton, and Roger Jones – excused was Adam Sandfoss. Also present were Police Chief Brian Messer, City Clerk Rita Seger, Administrative Officer Stephen Taylor, City Attorney Brandon Voelker, and Ronnie Hitch of Public Works.

Attorney Brandon Voelker requested the addition of an annexation agreement authorization to the agenda under New Business 10 B, and the Annexation Ordinance 16-1030 be moved to 10 C.

Mayor Penque commented on the items of interest to the community. The Movie in the Park will be held on Saturday, August 27<sup>th</sup> beginning at dusk. The featured movie will be *Good Dinosaur*. The Trunk Sale will be held on Saturday, September 10<sup>th</sup> from 9 am to noon at the Carole Huber Municipal Ballfield. Call the city office at 441-9604 to reserve a spot. Day in the Park will be held on Sunday, September 25<sup>th</sup> from 1 pm to 4 pm at the Municipal Park. There will be games, prizes, inflatables, petting zoo, food, and more. This is free of charge to all. Mayor Penque stated that the city has established veterans assistance on the third Thursday of the month, from 10 am to 2 pm at the city building for Cold Spring residents, by appointment only. Mike Disney is the advisor and will be able to assist any of our Cold Spring veterans. If you are a Cold Spring veteran please call the city office and make a reservation. There will be a drawing of an American flag for Cold Spring residents in attendance at the end of this meeting.

The minutes of the June 27, 2016 regular council meeting were reviewed by all. Lou Gerding made a motion for approval and Chris Ampfer seconded the motion. All were in favor. Motion carried.

The minutes of the August 8, 2016 special council meeting were reviewed by all. Brenda Helton made a motion for approval and Lou Gerding seconded the motion. All were in favor. Motion carried.

There were no scheduled guests.

As an unscheduled guest, Laura Helton, council president of St. Luke's Lutheran Church addressed council. St. Luke's Lutheran Church is going through a period of study at their church, and had questions on what their church can do for the city. She asked if there is anyone on council that would be willing to have dialog with her or other church leaders on how they could possibly impact the community. Lisa Cavanaugh and Brenda Helton volunteered to enter into a conversation with her regarding these matters.

The next unscheduled guest, Carol Haas of 10 Rosa, addressed Council. She, her husband, and her neighbor Greg Hanneken came to a council meeting on November 9, 2015 to address a stormwater issue in their backyard, and they filed an official complaint on November 15, 2015. At the following caucus meeting the new mayor and council assured the public this is an open council with an open line of communication. To date she is dismayed that they still have heard nothing about their stormwater issue from the council with this open line of communication. Ms. Haas reviewed a series of events and contacts with the city regarding this issue. She and her neighbor have been very patient but this issue will not just go away. This past Wednesday after the torrential rain she phoned the city office and was directed to the City Administrator Steve Taylor and asked that he come to her residence to view her property, because in her back yard the water was five feet wide and four and a half inches deep. He came down and returned the next day, spoke to her husband and measured the hole. She requested a written report of Mr. Taylor's findings, no matter what they were, but she still hasn't heard anything.

The question arose of who had the permit for the retaining walls at #2 and #4 Rosa. She spoke to some neighbors who gave a history on the first wall at #2 which was put up when they put in a pool, and at #4 which used to be made of railroad ties. There is a grate on the side of the first house at Dodsworth and #2 Rosa which carries the water from Dodsworth underneath. It was plugged into the unauthorized drain so that the water at #2 and #4 Rosa and the water from Dodsworth comes splashing out all over the place. She stated that it isn't her fault that permits weren't obtained for the two retaining walls or for the new houses that the city built. The city had to have given permission for the new house on Dodsworth for the pipe to allow their stormwater to flow. It is attached to the grate but it is coming through an illegal pipe. The pipe isn't even one that was approved and is probably in there angled and not justifiable. All that she asks is that somebody investigate it.

When the city was changing over the stormwater from SD1, a report was made that the stormwater grates were checked. Ms. Haas asked at that time if they checked the grate at Madonna and Dodsworth and was told that they did not. A reporter approached them to do an interview at that time, but she and her neighbor didn't wish to do so. They thought that council would handle it and didn't want to make it a big deal. To her and her neighbor there is a simple solution. Put in a big pipe and drop it over the hill or put in a gully that allows the water to flow down. The water has shifted their swimming pool twice. Mayor Penque assured Ms. Haas that a written report is forthcoming on this stormwater issue.

Under old business, **Ordinance 16-1029 was read in summary form for the 2<sup>nd</sup> time, adopting the IDDE Procedures Manual.** Brenda Helton made a **motion to adopt Ordinance 16-1029** and Lou Gerding seconded the motion. Brandon Voelker stated that the only change made since the 1<sup>st</sup> reading was the reference to SCM Engineering and ERC. It now says that the stormwater administrator could be ERC or any other designee that the city comes up with, and the stormwater engineer could be SCM or any other designee that the city comes up with. Roll call vote showed five yeses and no noes. **Motion carried.**

Under new business, **Municipal Order 16-05** was read, **re-appointing George Gore and Peter Hyde to the Code Enforcement Board with terms to expire 8/24/2020.** Lou Gerding made a motion for approval and Lisa Cavanaugh seconded the motion. All were in favor. **Motion carried.**

The next item of new business was **authorization for the mayor to execute an annexation agreement with Meadow Lake Landholdings LLC.** Lou Gerding made a **motion for approval** and Lisa Cavanaugh seconded the motion. Brenda Helton verified that this was a consensual annexation. Brandon Voelker stated that it is essentially the same as the other development that they did. It is just allowing them a private drive and the city doesn't have to maintain the street. We now require that it has to be noted on the plat that it is a private drive, so that when it is accepted as private, it remains private. Chris Ampfer verified with Brandon Voelker that this is what the developer wants. There being no further discussion, all were in favor. **Motion carried.**

**Ordinance 16-1030 was read in summary form for the first time annexing property at Alexandria Pike and Murnan Road.** Brandon Voelker stated that this is for the consensual annexation that results from the agreement. Lou Gerding made a **motion for approval of Ordinance 16-1030** and Lisa Cavanaugh seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

As a follow up citizen comment, resident Steve Roach addressed Council. He stated he is taken aback as to this annexation process, and he always thought these were discussed in public forum and not in private before or after a meeting. He understands the scheduled executive session regarding real estate, but he says that he has never heard at any of our meetings that we are going to annex something and questioned where this comes from. These things should be discussed in a public forum and not in private. This council rubber stamps things one after another. He has not missed a meeting here in quite a while and this was never discussed and he questioned whether this council spoke about this issue in a private setting. Mayor Penque stated that this is not true and Mr. Roach's comments are out of order and there is no reason for us to hide this. Lou Gerding stated that tonight is the first time that this was discussed.

Brandon Voelker explained that this is the culmination of the property as part of the Matinee re-development. As council will recall, the tail end of the property is not in the city and in order to bring the entire piece of the property into the city we need to annex this property. This is the McCarthy property, and about 4.149 acres are not in the city and the reason that we could not do this awhile back is because we have just now gone out for bids for Matinee Drive. Because of the lack of road frontage, it is a timing issue. Our engineer just brought us the plat this past Friday, 8/19/16 and due to the fact that there are a couple of people desirous of purchasing the land and since it is late in the year we put it on the agenda today. This is all that has happened so far and it is part of the bigger project.

Brenda Helton stated that this is a consensual annexation that has been requested by the property owner. They asked to be annexed as part of this project and we agreed. That is what we just did tonight. Council has not discussed this before a meeting. This is just part of the ongoing Matinee project, cleaning it up, and getting it all to take place in order to take on the Matinee project.

Departmental reports were submitted in writing. Chris Ampfer requested that the department heads give a highlight of their reports. Steve Taylor stated that nothing has changed with the financial reports. We are under budget.

Brian Messer stated that they are in the process of hiring two officers, one that has completed every step that is required and the second person should be finalized by early next week. There are no available academy classes until the first of the year. He has already reserved two spots in Richmond in January. It is a 23 week course in Richmond and 14 weeks here with our officers, so we are looking at least June or July of next year before they graduate.

The police continue to get food and gift cards and thank you cards almost every day from citizens. They are apparently doing a good job out in the community and the residents are showing their appreciation. In the report you will see some burglaries and a rash of thefts in Crestview, Uhl Road, and Madonna. A lot of lawn mowers were being stolen, and these cases have been taken on by the county police. Everything is being combined into one large case for when we go after them. Some of the property has been found, but some of it is gone. Also we may have had a nice drug bust but we are waiting to see what the lab has determined. If it comes back positive it is a very large amount of drugs taken off the street. Office Zink received the Governor's seatbelt award for writing the most seatbelt tickets for our agency.

Ronnie Hitch of Public Works highlighted the details of the Public Works report including work on various stormwater issues, crosswalk painting, repairs to the walking trail at the city building, cleaning up, mowing and weeding parks, regular maintenance of all city buildings, installing speed bumps, pothole repairs, and clearing debris from city streets.

Carol Haas questioned what work Public Works did on Paul Circle. Steve Taylor replied that there was a stormwater pipe failure on Paul and the city replaced it.

Brenda Helton stated that she attended the Planning and Zoning meeting and the city has hired a consultant for the comprehensive plan process so they will be busy with it in the near future. Chris Ampfer questioned if there were any updates on projects for P&Z, since he noticed work being done at the Guys and Dolls property. Steve Taylor stated that nothing has gone through P&Z yet on this possible project.

Council comments followed.

Brenda Helton stated that she would like to take a look at the animal control contract and see how many hours they are supposed to be giving us for what we pay them. Steve Taylor said he will put the information together.

Chris Ampfer stated that since we had the 75<sup>th</sup> anniversary he was wondering where some of the springs were and didn't realize that there is still a spring in the back corner behind Ameristop by the condos. He thinks it would be great if we could clean it up and have a small park or a plaque placed there. Maybe this property could be given to us. Mayor Penque stated that there is a gentleman who lives in Granite Spring who has taken some great photos of the "spring" behind Ameristop at the Springhouse condos which we will be hanging at the city building. Chris Ampfer said there is another spring off of Winters Lane near Locust Point where public works put in a catch basin. It would be neat if we could dig down and uncover that spring. There is another swampy area behind Marshall Grangers that is another possible location of the spring, which would be more suitable for a park setting. Lou Gerding stated that former councilman Charles Gray came to the conclusion that one was very likely the Cold Spring "spring". Brenda Helton stated that there has always been a debate on where the actual Cold Spring "spring" is located. Steve Taylor stated that these sites are all on private property.

Mayor Penque commented that during the day there is always at least one person here and he wants the public to know that we are open every day from 9 am to 4 pm Monday thru Friday. We are more transparent now than we have ever been. He feels very strongly about that. We are working very hard to accomplish a lot of things. We are open, available, and he is here full time and citizens can come in and talk all day long. He attends a lot of meetings during the day and he suggests that if you wish to speak with him, call or leave a voicemail message with him. We have had numerous complaints about speeding in our area and he directs that information to our Police Chief to take appropriate action. We are working hard to get the speeding down. Please keep your eye out for the children and people who walk, and phone the police to report any speeders.

There was no winner of the American flag and pole.

Chris Ampfer made a **motion to enter into Executive Session 61.810 – B for Real Estate**. Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

Brenda Helton made a motion to come out of executive session, and Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

There was no action taken as a result of the executive session.

Brenda Helton made a motion to adjourn the August 22, 2016 council meeting and Lou Gerding seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**