

## Cold Spring City Council February 22, 2016

The regular meeting of the Cold Spring City Council was called to order by Mayor Angelo Penque. Pledge to the flag and prayer 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, Administrative Officer Stephen Taylor, City Clerk Rita Seger, and City Attorney Brandon Voelker.

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

There was one addition to the agenda, under Old Business – 75<sup>th</sup> Anniversary discussion.

As an item of interest to the community, Mayor Penque stated that the annual Easter Egg Hunt will be held on Saturday March 19<sup>th</sup> at 1 pm at the Municipal Park.

There will be a drawing for an American flag at the end of the meeting for any resident in attendance.

The minutes of the January 25, 2016 council meeting were reviewed by all. Lou Gerding made a motion for approval and Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

There were no scheduled or unscheduled guests.

As an addition to the agenda under Old Business, Lisa Cavanaugh gave an update on the city's 75<sup>th</sup> Anniversary which will be held on Saturday, June 25<sup>th</sup>. She stated that these are just general plans and ideas and more information will come later. On the morning of the June 25<sup>th</sup> there are plans to hold a 5K run and the details are still being worked out. She is hoping to have a catered meal for Cold Spring residents only with rsvp and proof of city residency. There will be a formal historic presentation. The Country Cruisers car show will be from 3 to 7 pm. We will also have food, drink and beer booths, business vendors, games for kids and adults, a kid zone with inflatables and such, and at 8 pm the Belairs, formerly known as Hot Wax will hold a concert. We plan on putting together a commemorative booklet with pictures. Residents and businesses could take out an ad in this booklet, and she would like to have a page, front and back, for each founding family that has been in Cold Spring going back 75 years or beyond, recording your family history. It would be a nice to have a keepsake to recognize our founding families. She is working on a handout that she hopes to take door to door that has information on it. She is trying to do what she can to get the word out. She has a facebook group, Cold Spring 75<sup>th</sup> Anniversary, which contains a lot of information. She is very excited about these plans. Call the City Building to get a hold of her or to volunteer for the event. We will need lots of volunteers.

Mayor Penque stated that he has met with the Lieutenant Governor this afternoon, and there is a possibility that she will be able to attend the event.

Under New Business, **Ordinance 16-1024 was read in summary form for the first time regarding parking fees and citations.** Brandon Voelker explained the proposed amendment to our parking ordinance. One reference is regarding car repairs in your own yard unless it is your own vehicle. We had prior issues with a resident was engaging in auto repair as a side job. Our old ordinance does not allow you to oil or grease your own car in your own driveway so that was added. Under Section 71.33, item #4 we added that if you have a prior parking ticket, at that point your car could be towed immediately. Item #5 is just a catchall so that with any law violation our officers would have the ability to impound the vehicle. He had discussions with the Police Chief regarding the wording in the regulations about abandonment of vehicles, and how you describe abandonment. Before the second reading some wording will be inserted in the ordinance to clear this up.

Parking penalty fees were discussed. Under item A, current fees are only one to ten dollars for a parking citation. As a general practice the police usually give the resident a general warning first before a citation is issued. Brenda Helton questioned why all three sections did not have the same fines. Brandon Voelker stated that they are different violations. The first is general run-of-the-mill parking violations. Provisions under 71.04 is for parking for the purpose of the sale of vehicles and repairing of vehicles, parking in cul-de-sacs, etcetera. Provisions under 71.15 through 71.20 are for parking in snow emergencies which is a stepped up fine. We had an old regulation that literally called for jail time. We have adopted a model parking citation that doesn't threaten to throw you in jail.

Lou Gerding verified with Brandon Voelker that we could cite the resident each day. Chris Ampfer questioned if there were any provisions for towing. Brandon Voelker stated that once the vehicle is abandoned they are free to tow. He and Mayor Penque are in discussions which they hope to bring before council in the near future regarding towing. Right now we tow by just

calling whoever is on duty and the city receives no money connected with that. Typically with a DUI there are usually two officers on site and we call in a wrecker. We are working on an administrative fee so that when we have two officers taken off of patrol to cover such an incident that fee would go towards the police department. We would collect the fee from the towing company, who obviously can recoup that fee. Mayor Penque stated that it is the citizens as taxpayers who are paying our police officer salaries, and sometimes our officers can be at the scene of an incident for three or four hours. They should be compensated.

Council agreed that a general parking citation should be \$25 and double that amount to \$50 if not abated after seven days. Item B currently sets the citation at \$100, and Chris Ampfer questioned if the citation should be placed so high just for working on vehicles, and how would the department know whether or not they own the vehicles. Chief Messer stated that they would run the plates. Brandon Voelker explained that we want to avoid having someone running a vehicle repair business from his home as happened in the past. Also, this is also a stormwater violation. Council agreed to hold the citation at \$50, and then double that amount to \$100 if not abated after seven days. Chris Ampfer questioned how often we have a problem on Item C which are parking violations due to snow emergencies and questioned how the public is informed about snow emergencies. Brandon Voelker stated that we notify the press, it is placed on our phone emergency line, and also is placed on the scroll bar on our website. Chief Messer stated that we haven't had any snow emergencies this year. In the past the police department would knock on doors to get residents to remove their vehicles from the street. Chris Ampfer stated that most people want to get their cars off the street so that the plow can go curb to curb. Brenda Helton stated that we can't place a time period on that, because seven days later the snow is gone. Brandon stated once they receive one ticket the vehicle can be towed the next day. Brian Messer suggested that we put in the ordinance that if the vehicle is in a bad spot due to the snow emergency we could have it towed immediately. Brandon Voelker suggested that he add the wording stating that prior to towing the officer will make reasonable attempts to contact the owner. Brian Messer stated that a snow emergency depends on the difficulty that public works is having getting the streets cleaned off, either due to abundant snow or just icy conditions. If a heavy snow is predicted the police will send out messages on their Facebook to be prepared in case the city goes under a snow emergency. If we are going to call a snow emergency we will call it early so people can get their vehicles out of the way.

Lou Gerding made a **motion to approve** the first reading of Ordinance 16-1024. Lisa Cavanaugh seconded the motion. Brenda Helton verified that we are going to clean up the ordinance before the second reading. Brian Messer questioned under the general parking it would include the private parking as well, such as handicap parking and the like. Brandon Voelker stated that under Section 71.02 there is a KRS regulation that allows you to enforce city ordinances on private property. If a private parking lot is designated for public parking the city has the ability to cite. Lou Gerding stated that nothing has changed on these parking provisions except the amount of the fines. There being no further discussion, roll call vote showed five yeses and no noes. **Motion carried.**

Brandon Voelker stated that at the last TAC meeting, there was a discussion about the unpaid stormwater fees. He has drafted an ordinance providing that if you don't pay your stormwater bill by the delinquent date, there is a ten percent penalty and at the end of that time they will start to accrue at one percent per month, twelve percent per annum, just like the tax bills. In the event that we have to file a suit, then they have to pay court costs and attorney fees. At the TAC meeting, they have also outlined a system whereby the city clerk will send letters out that if you don't pay the stormwater bill, it will be referred to the city attorney. Even before he would file suit, he will send them a warning letter first showing that we are serious about future action.

**Ordinance 16-1025 was read in summary form for the first time imposing penalty and interest fees on unpaid stormwater bills.** Lou Gerding made a **motion to approve Ordinance 16-1025** and Chris Ampfer seconded the motion. Roll call vote showed five yeses and no noes. **Motion carried.**

There were no follow up citizens comments.

Departmental reports were submitted in writing.

Council comments followed.

Lisa Cavanaugh stated that going south on US27 at Crossroads Boulevard there is a sign to turn left on the AA Highway. It is right before the traffic light and the arrow looks like it is an immediate left turn. She has seen cars that get into the turn lane at the light thinking that they need get over right away. That sign does make it a little bit confusing and people who are not familiar with the area may then try to make a sharp left hand turn. Chris Ampfer stated that these are state highway signs. Steve Taylor stated that we can certainly ask the State to take a look at it. In addition Lisa Cavanagh requested that the engine brake sign like we have on Industrial Road also be placed on the AA Highway. It was brought up at one time and Councilwoman Cavanaugh wanted to follow up.

Lou Gerding stated there was some discussion about changing the city logo and he would like for this to be placed on the Caucus agenda. He also asked our Administrator to do research on what it would cost in material to change the city logo, as far as city signs and so many different things.

Chris Ampfer stated that he was looking through the police report, and he questioned the crime stats showing that cocaine violations seemed to be very prevalent this month. Brian Messer stated the report shows the value of the cocaine, not the amount of arrests for cocaine. Chris Ampfer questioned how much cocaine would equal \$260. Angelo Penque stated that an eight ball of cocaine is worth approximately \$150. Chris Ampfer verified that Planning & Zoning Commission did not meet in February. He verified that our Planning & Zoning Commission will take a look at the Comprehensive Plan. Steve Taylor stated that we have already lined up the two parties to give their presentations at the next P&Z meeting. Councilman Ampfer questioned if they will do a comparison on previous Comprehensive Plans to see how they were different. He stated that he got on our website, but only saw the 2005 Comprehensive Plan along with Appendix A & B but did not see the 2010 Comprehensive Plan. Brenda Helton stated that comparisons are not the job of our P & Z, but the outside firm who will write our Comprehensive Plan. Steve Taylor stated that the last time, we basically adopted 2005 comprehensive plan and added the appendixes for the 2010 updates. Chris Ampfer questioned if we want to discuss the new website now. Steve Taylor stated that he will just take the information, and have this discussion at our next caucus meeting when we have all of the information.

There were no Attorney or Mayor comments.

Resident Lola Bennett was the winner of the American flag and pole.

Lou Gerding made a motion to adjourn the February 22, 2016 council meeting at 8:15 pm, and Lisa Cavanaugh seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**