

Cold Spring City Council November 28, 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, Roger Jones, and Adam Sandfoss. Also present were Police Officer Andy Hyett, City Clerk Rita Seger, Administrative Officer Stephen Taylor, City Attorney Brandon Voelker, and Ronnie Hitch of Public Works.

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

As requested by Councilman Sandfoss, there was an addition to the agenda, under New Business Item 10 F for discussion of a Cold Spring Emergency Medical Committee. At the request of Councilwoman Cavanaugh there was an addition under New Business Item 10 G for a discussion on the Prescription Discount Card. Councilman Gerding requested that New Business Items 10 A and 10 B for first readings on Ordinance 16-1032 and 16-1033 be removed from the agenda, since the November 9, 2016 Planning & Zoning minutes have not yet been approved. He has been told by our Attorney many times in the past that you need P&Z approval of the minutes before council takes action on a recommendation. Discussion followed. Attorney Voelker stated that you can have the first reading tonight, and just have the Planning & Zoning meeting minute approval by the second reading. You are under a ninety day time frame to act. If you take no action within that time frame, then the recommendation of Planning and Zoning stands on the map amendment. The courts have ruled that the ninety days start from the day of their meeting, not from when the minutes have been approved. There is no such clause for the text amendment, but this council can do whatever they prefer. Council agreed to remove New Business Items A & B from the agenda.

Mayor Penque commented on the items of interest to the community. The Veterans Day Ceremony was held on November 6th and we had a very successful turnout. The ceremony was very touching. The city office will be closed on December 23rd and December 26th due to the Christmas holidays. There will be no change in trash pickup, which will be December 23rd. There is a veterans assistance program at the city building on the 3rd Thursday of the month from 10 am to 2 pm, by appointment for Cold Spring residents only. We have some real war heroes in the City. One of our oldest known veterans, Mr. Popovich, is a true war hero who has never received the benefits for which he is entitled. Mike Disney is an expert in this field and is working to assist the Popovich family. It is important to understand that you have to talk to the right people and we have Mike Disney to help Cold Spring veterans. The only people that can fight in Washington for your benefits are the DAV. The Visit with Santa will be held on December 10th from 12 to 3 pm at the Cold Spring First Baptist Church. The Light up Cold Spring contest will take place on Sunday, December 11th. This year the Park Board will do the judging. Turn your Christmas lights on by 6 pm.

There will be a drawing of an American flag for Cold Spring residents in attendance at the end of this meeting. Mayor Penque introduced our new city assistant city clerk, Robin Sweeney. She has just begun her training.

The minutes of the October 24, 2016 regular council meeting were reviewed by all. Adam Sandfoss made a motion for approval and Lou Gerding seconded the motion. All were in favor. Motion carried.

There were no scheduled or unscheduled guests.

Under New Business agenda items, **Resolution 16-05** was discussed to add two new members to the Parks, Recreation, and Tree Commission. Mayor Penque is asking for council authorization to appoint the two new members. Lou Gerding questioned if the Park Board was established by Ordinance. Brandon Voelker stated that the Park Board was established in 1995 by a Resolution, not an Ordinance. In 2002 it was repealed and we re-did it, and then in 2005 we did away with the Tree Commission and put it all under the Parks, Recreation, & Tree Commission, all done under Resolutions. Lou Gerding questioned if the Resolution stated how many members. Brandon Voelker stated the original Resolution said five members, then went up to six members as appointed by the Mayor, then we added a facilitator role, and then a year later the Resolution was put to a vote for council to ratify. The Mayor appoints, but Council approves. Lou Gerding verified that Mayor Penque has contacted the commission members to make sure that they are okay with this. Mayor Penque stated that he has two potential candidates. Chris Ampfer questioned why we limit the number of Park Board Members since they are a volunteer group. Brandon Voelker replied that they do have by-laws and they do take votes so we need have some numbers to account for a quorum. Also we do have to budget them. Brenda Helton made a **motion to authorize the mayor to add two additional members to the Parks, Recreation & Tree Commission**, and Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

Brenda Helton reported on the ratification of the new animal control contract. She stated that this is the same agreement as submitted at the last meeting, but as our Attorney pointed out, it needs to be approved by the local governments. They have made a signature line for that, and would like for it to be approved to take affect at the beginning of next year. Lou Gerding stated that the proposed copy refers to Exhibit A, but that was not included, and that is the most important one of all. Brenda Helton stated Exhibit A is regarding the funding and the way it breaks down for the different cities. It has not changed since the prior agreement which is attached. Lou Gerding made a **motion for approval of the animal control contract subject to Exhibit A being equal to the 2011/2012 exhibit.** Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

Mayor Penque stated that due to the Christmas holidays, some changes need to be made to the December meeting schedule, and he suggested that, as was done in the past, **the regularly scheduled December 12th caucus be cancelled and changed to a December 12th special council meeting, and the regularly scheduled December 26th council meeting be cancelled.** Adam Sandfoss made a **motion for approval** and Lisa Cavanaugh seconded the motion. All were in favor. **Motion carried.** Brandon Voelker reminded council members that they can't add anything onto a special council meeting agenda so please contact they clerk in advance if there is a topic you would like to have addressed.

An addition to the agenda was discussion regarding of a Cold Spring Emergency Medical Committee. Mayor Penque wished to preface the discussion with a comment. He was premature in mentioning this committee to the press. There have been and may be future discussions in reference to this and he has asked Councilman Gerding to attend any future discussions. Should a formal subcommittee be required, he will be approaching council to ask for a formal process to form a subcommittee and ask council members to be part of it. He thanked council for their patience and apologized if he created any confusion. The main thing for us is to get a sewer. Unless we have a sewer, nobody is going anywhere. He is very excited about some type of medical facility, no matter which one. It would be a great thing for our city. Sometimes he gets overexcited about doing these things. He stated that he works this job 40 to 50 hours per week and he tries to go a good job. He did talk to the press and some of the things they reported were not true.

Adam Sandfoss stated that the reason this situation arose was because when that article that was written on the Enquirer website on election day implied that a Cold Spring committee had been created and council was not aware of it and that they already had members from other cities in it. Mayor Penque stated that this committee was formed by another entity because of a joint effort for a TIF rating. He had not even decided to go with that. He has been campaigning hard for money at the state level to get them to pay for it, which is not out of reach yet. Councilman Sandfoss stated that he had saved the article from election day and then read it again the other day and there were significant changes. Even though the article said it wasn't changed, it was updated with new quotes and new terminology. The headline said that the Mayor was lobbying on behalf of Christ Hospital. Mayor Penque stated that he was lobbying on the part of any hospital. As you know we need a certificate of need. We are not necessarily looking at a hospital, but some type of medical facility.

Adam Sandfoss said that, as someone who works at a medical field we need more and better medical access to rural counties. He agrees that we need sewers and development in that area across from Meijers, and an outpatient center would be great. As far as the hospital goes, the whole point of the article said that people in the southern part of the county near Pendleton County need better medical quality, and quicker access. If this hospital, or helipad or emergency critical care situation should arise, it should be in the southern part of the county where it is closer to them, not in the same part of the county where we have another hospital. He hopes that the medical economic development board also includes people who have some kind of medical or hospital administration experience. Mayor Penque stated that our subcommittee will consist of only the people sitting on this council. He stated that if they want another hospital closer to Pendleton County that is fine, but if we can get some kind of medical facility right off of the AA Highway that would be great. Adam Sandfoss verified that if we did create a subcommittee it would only be with Cold Spring council members. He requested that he be a part of this economic development board. Mayor Penque invited any of the other council members to participate. We are not there yet, but first we need to get that sewer. Then we can get someone to develop on that property, whether it be Christ Hospital or St. Elizabeth or any medical facility. Again he apologizes for being overzealous. He wants to get things done, and feels very strongly that the more we can do for Cold Spring the better off we are.

Lisa Cavanaugh had requested the addition on the agenda for discussion on the prescription card that was discussed at the last caucus meeting. This is available at no cost to us and no cost to the residents and saves them 75% on their copay. Council had stated that this was is a statewide thing that different companies put together, and a lot of those coupons frequently just come in the mail. Also, it was stated that we would just be helping to advertise for other companies. Ms. Cavanaugh stated that if we are offering something to our residents where they can save 75% on their copay and it is not costing us or them anything, whether or not our logo is on, it is a good option. The residents can decide if they wish to participate, but the city should make it available.

Adam Sandfoss agreed that anything we can do to help our residents is a good idea, but the way that the wording is on the card makes it imply that it is being provided by the state. When people hear that, they tend to have more trust in it. But this is being provided by different companies and we are putting our liability on it. The residents information could be sold to different companies because they are asked for their e-mails and phone numbers etcetera. The residents could then come back to us and say we pushed for this card and now their information is getting passed around. This is for the companies and not the city governments. Chris Ampfer said the real issue is a roundabout way of getting the city to back this, and it is not our job to pick where everybody should shop for their pharmaceuticals. Maybe we could just put a link for this in our next newsletter, but we do not want to have the city's name behind it. Adam Sandfoss stated that if this is such a great deal why hasn't the state come out and endorsed it. Lou Gerding stated that if the residents don't get their 75% off who will take the heat for that.

Mayor Penque stated that residents can get this card right off of their website, which is *kentuckyrxc.com* and it will download. It is available online for free. Brandon Voelker stated that it is a "buy in bulk" type of thing. He stated that in looking at the fine print, it says to submit the card as a primary claim and it cannot be processed as a secondary. The risk that you run is that your insurance may have a better deal with the pharmacy so you could end up paying more. Adam Sandfoss stated that if it is such a great thing and they want the city to put their logo on it, then why hasn't Krogers, or Walmart, or Meijers offered it to their customers.

As a follow up citizen's comment, resident Jack Snodgrass addressed council. We had the second largest turnout for the elections that we ever had, about 63 percent. In 2001 Northern Kentucky took up a program called Kids Voting, and they put out ballot boxes in every precinct so when the kids come in with a parent or guardian, they can vote also. Their ballots had the presidential races and a senatorial race, but it also had additional questions pertaining to kids. One of the questions was if cursive writing should be taught in school. Another question was if they have been taught about the problems of bullying in the schools. They had close to 10,000 kids voting. This is an educational system where they get to learn to vote before they are old enough to do that. Mr. Snodgrass stated that he is going to the County Clerks state convention in January and will try to push this through to other counties. It is a great program, and they are very proud of it. The cursive writing question results were at almost 90 percent yes and the bullying problem talked about in schools was about 60 percent yes. Brandon Voelker commented that he had three kids with him on election day and it gave the adults time to vote without their kids being tied to your arms. Brenda Helton commented that the kids feel involved in the voting process. Mr. Snodgrass stated that the Campbell County Board of Elections is open and willing for anyone to come in and assess their elections. They were 100 percent honest and 100 percent correct. Chris Ampfer questioned how someone can volunteer to help for elections. Mr. Snodgrass replied that they just need to call Jim Luersen, Campbell County Clerk.

Departmental reports were submitted in writing.

Sergeant Andy Hyett commented on our newest police officer, Brian Locknane who joined our police department on November 2nd. We will have a swearing in ceremony at the next council meeting when Chief Messer can also be present. His training is going very well and he is adjusting to the new environment as well as the Cold Spring department procedures. After several thefts of a residential street sign over the year, they have made progress in determining who was responsible for the action, through the wonderful world of social media. Several individuals displayed the stolen Madonna sign on social media with pride. Sergeant Chris Ratcliff followed up on the tip and has since recovered six of the Madonna street signs. They are awaiting restitution from the individuals who had them. Sergeant Hyett made a request to the general public. When you are driving down the road and there is an emergency vehicle on the side of the road with their lights on, you are required by law to get over if a lane is available, and if not available then you are required to slow down. We recently had such an incident in Cold Spring involving this. Please pay attention to the law.

Ron Hitch commented that public works has been mowing grass and now they are getting ready for snow. It comes to a full circle. They cleaned up leaves in the park and got some landscaping work done. They have been working on their trucks, getting the tires rotated and the salt and plow equipment ready to go. They have done some sidewalk and street repairs on Locust Point and some blacktop work on Winters Lane. Steve Taylor added that he would like to recognize Mr. Hitch. We had all of the lights for the monument and the flag out front and the police department replaced with LED lights which run cooler and are much less expensive. These were done for free through the efforts of Mr. Hitch. He went above and beyond to get this done for us.

Resident Jack Snodgrass questioned if there was consideration for the city to obtain a leaf removal truck, considering all of the trees that are in our city. Steve Taylor stated that we are entertaining this in our budget.

The city clerk reported that a little over 1/3 of the property taxes for 2016 paid, and we expect a very busy December collecting the rest. Property tax bills are due to be paid by December 31st.

Brenda Helton commented that in the past we had a representative from the fire district come to council meetings to make a report on their activities for the month. She thought this was very informative for our residents and would like to bring this back. She once learned about the different fire department insurance ratings and she was able to get a break on her insurance. Adam Sandfoss stated that his father, former Fire Chief Sandfoss did come before council but that was strictly to inform our residents of the new rating. We haven't had a fire department representative at council for quite some time except for when they had something special that they wanted to announce. Ms. Helton stated that she believes our residents would be very interested in hearing from their fire department. Council receives a copy of their minutes but for the people who are paying their taxes, it would be good to hear from them and we should at least invite them. Adam Sandfoss stated that part of the problem is an issue may arise that when they are here, they are sometimes getting paid overtime. Steve Taylor stated that he will open up communication with the Fire Chief to see what is available.

Under council comments Brenda Helton stated that Pooles Creek Road has been closed by the state to thru traffic. Steve Taylor commented that they are replacing a culvert pipe, and hopefully they will only be closed for one week. At this point we do not know if they are doing any additional work on that road.

Adam Sandfoss took a moment to acknowledge the passing of Bill Von Strohe, who was a regular attendee at these meetings. He has known him his entire life. He was a veteran and a US Marshall, very active in the Cold Spring community and he was a great, incredible man. He will be missed by everyone. Our thoughts and prayers go out to his entire family. Lisa Cavanaugh on behalf of her friend and neighbor JC Morgan stated that there is a community project called *Drop Your Drawers*, through the Campbell County Library. It is associated with 49 libraries across the state. They are collecting packages of underwear for elementary boys and girls and are going to distribute them among 14 family resource centers at the Campbell County schools. Some will be sent home with families and some will be used at the resource centers. Last year they collected 5,200 packs, and this year their goal is 6,000 and the state goal is 42,000. You can *Drop your Drawers* at the Campbell County Library or if you don't drive and want to donate, call the city building and they will contact Councilwoman Cavanaugh and she will pick them up. It is a great cause. Mayor Penque stated that JC Morgan did contact him today about this and asked if anyone from council would like to be included in a photograph with council members holding up a pair of drawers which will be placed in the newspaper.

There were no attorney comments.

Mayor Penque asked council members to submit to him in writing before the next meeting which subcommittees that they would like to serve on so he can take their wishes into consideration. Lou Gerding verified that he would actually consider their preferences. Mayor Penque stated that he will do so and will probably have some council members sit down and go over them with him.

Resident Todd Weiner was the winner of the American flag and pole.

Lou Gerding made a motion to adjourn the November 28, 2016 council meeting at 8:40 pm and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: