

**Cold Spring City Council  
Special Meeting  
March 13, 2006**

The special meeting of Cold Spring City Council was called to order by Mayor Mark Stoeber, as advertised. Roll call showed the following present – Tom Baldrige, Lou Gerding, Charles Gray, Dave Guidugli and Rob Moore; excused – Stuart Oehrle. Also present were Tom Benke, Carole Huber, Dave Piccirillo and Brandon Voelker.

**Ordinance 06-892, proposing to annex property located on the southeast corner of US 27 and the southern terminus of Ripple Creek Road**, was discussed. This ordinance was read for the first time on January 23, 2006. Brandon Voelker has held discussions with the property owners to try and make this annexation consensual. He would like to make it good for both the city and the developer. The property is zoned PO in the county. If finalized, this could be read at a special meeting or at the regular April Council meeting. Dave Guidugli made a **motion to table this second reading**. Charles Gray seconded the motion. All were in favor. Motion carried.

Tom Baldrige discussed an issue of land sliding this past weekend on the property in question, with the extensive rains. He wants to be sure that this is regulated.

Mayor Stoeber explained that as a result of some geotechnical results the **Madonna drainage project** must be revised. The contractor who was originally awarded the bid has backed out and the next bidder, Lonkard Construction, will take on the project. The original bid was for \$120,000, and the current bid is for \$145,000. Dave Guidugli made a **motion to enter into a contract asap and begin construction by the end of April**. Rob Moore seconded the motion. All were in favor. Motion carried.

**Ordinance 06-895, re-financing the municipal building**, was read for the first time in summary form. This is the regular five year re-financing for this building. This will be a fixed rate, which will be cheaper than what we are now paying. Dave Guidugli made a **motion to approve this first reading**. Motion was seconded by Rob Moore. Roll call vote showed five yeses and no noes. Motion carried.

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

**Approved:**

**City Clerk:**

**Mayor:**

**Cold Spring City Council  
Special Meeting  
March 27, 2006**

The special meeting of Cold Spring City Council was called to order by Mayor Mark Stoeber. The purpose of this special meeting was to conduct a public hearing as advertised to review the Stage I Development Plan for the American Village Development at Murnan Road and the AA Highway.

Roll call showed the following present – Tom Baldrige, Lou Gerding, Charles Gray, Dave Guidugli and Rob Moore; Stuart Oehrle – excused.

A public hearing was called to order for review of the Stage I Development Plan for the proposed American Village Development at Murnan Road and the AA Highway. This site is currently zoned R-3 (PUD) and is approximately 22 acres. A public hearing was previously heard by Planning and Zoning and they recommended approval with seven conditions. Planning and Zoning also recommended that a second access be studied, due to the number of units involved. Plans for this second access should be presented at the Stage II Plan or reasons why it is not possible.

Mayor Stoeber reported that all council members have received a letter dated March 24 which included detailed plans and responses to the original seven conditions. This new information will be discussed tonight and this packet is available to anyone who would like to see it.

Marshall Slagle, Mike Speedy and Jim Elliott were present to represent the developer of Sycamore Valley Apartments. Mike Speedy discussed other projects that he is working on. Marshall Slagle showed slides of the site which includes the revised Stage I Development Plan. Jim Elliott responded to the staff's conditions which were included in the packet sent to all. Mr. Slagle stated that all conditions placed by Planning & Zoning have now been met.

Dave Guidugli asked what the surrounding residents will see of this development, when completed. Mike Speedy does not feel that they will see anything other than trees.

Tom Baldrige questioned the access road that Planning & Zoning required, if possible. The original access from the AA Highway is determined and construction of the proposed access would cause a problem for them.

Charles Gray discussed the location of the approved access road. He is satisfied with the access road now except for the possible back up of morning traffic.

Tom Baldrige stated that this development is 1300 ft. from the Glenridge entrance, which could be a problem.

Mayor Stoeber then opened the floor to anyone who would like to speak for or against this project. There were none.

Lou Gerding requested that staff review this amended Stage I Plan before a second reading is held. Mike Schwartz stated that they do not have a procedure in place for a review of this type, but arrangements can be made to do so. Mayor Stoeber confirmed that whatever charges are incurred will be paid.

**Ordinance 06-896, approving the Stage I Development Plan for the American Village Development at Murnan Road and the AA Highway**, was read for the first time in summary form. Charles Gray made a motion to approve this first reading. Lou Gerding seconded the motion. Roll call vote showed five yeses and no noes. Motion carried.

Tom Baldrige made a motion to adjourn. Dave Guidugli seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**



## Cold Spring City Council – Amended Minutes March 27, 2006

The regular meeting of Cold Spring City Council was called to order by Mayor Mark Stoeber. Pledge to the flag was recited and a prayer was lead by the City Clerk. Roll call showed the following present – Tom Baldrige, Lou Gerding, Charles Gray, Dave Guidugli and Rob Moore; excused – Stuart Oehrle. Also present were Tom Benke, Carole Huber, and Brandon Voelker.

Executive Session will be added to item 16 in accordance with KRS 61.810, B. Item N. will be added to New Business to approve Resolution 06-05 for the TEA Grant. Items C. and D. will be added to Old Business to have a second reading of Ordinances 06-893 and 06-894. Also, item 10, G. (1) will be added to New Business to approve a resolution for Planning & Zoning to study zoning.

Officer Bill Bohl was commended for his outstanding work on helping to apprehend the “Blue eyed rapist”. Officer Bohl thanked everyone for their cooperation in this case.

In Items of Interest to the Community, Mayor Stoeber reported that the police chief search was advertised nationally and 100 resumes have been received. The search committee will interview on April 8. Fischer Builders have applied for a stop light at Buning and US 27 and the State is seriously looking at this request. Campbell County is requesting county wide input for their Comprehensive Plan, which is in the works. Sheila Bogen displayed the Easter baskets to be raffled at the Easter Egg Hunt on April 8. Neck coolers and bracelets will also be on sale at the above events. Chances will be sold at the Arbor Day Program on April 1. She expressed her thanks, as Chairperson of Operation Hug, to the Elks Lodge for their generous donation. To date a total of 782 pounds of items have been sent to our adopted troop in Iraq. The troops do appreciate all that we do for them. As usual, there will be a drawing for a flag to a resident present at the end of this meeting.

The minutes of the February 27 meeting were read. Charles Gray made a motion to approve these minutes. Lou Gerding seconded the motion. All were in favor. Motion carried. The minutes of the special March 13 meeting were read. Motion was made by Tom Baldrige to approve the minutes. Dave Guidugli seconded the motion. All were in favor. Motion carried.

**A proposal was discussed to annex property located on the south east corner of US 27 and the southern terminus of Ripple Creek Road. Ordinance 06-892** was read for the first time on January 23, 2006. Various options are being discussed so this issue will be tabled for tonight.

**Ordinance 06-895, refinancing the city building loan**, was read for the second time in summary form. Lou Gerding made a motion to adopt this ordinance. Motion was seconded by Tom Baldrige. Roll call vote showed five yeses and no noes. Motion carried.

**Ordinance 06-893, removing two unnecessary stop signs in the city**, was read for the second time in summary form. Rob Moore made a motion to adopt this ordinance and Dave Guidugli seconded the motion. Lou Gerding requested that before these stop signs are removed, a sign stating “cross traffic does not stop” be installed at Buning Lane and Founders Court. Roll call vote showed five yeses and no noes. Motion carried.

**Ordinance 06-894, amending the Personnel Policy to allow deviation from vacation as a recruitment tool**, was read for the second time in summary form. Motion to adopt this ordinance was made by Rob Moore. Motion was seconded by Charles Gray. Roll call vote showed five yeses and no noes. Motion carried.

**Bids have been requested and received for four surplus police vehicles.** Tom Baldrige made a motion to accept the following bids: 1991 Plymouth Laser bid of \$323.23 from Kenneth Schalk, 1998 Ford Crown Vic bid of \$1255.00 from Pike 27, 1999 Ford Crown Vic bid of \$755.00 from Pike 27 and 2001 Chevrolet Impala bid of \$1655.00 also from Pike 27. Charles Gray seconded the motion. All were in favor. Motion carried.

**Bids have been requested and received for the new contract for waste collection.** Will Terwort, Bavarian Waste, explained that they take great pride in the services that they provide and feels that they would provide the best services to the city for the small difference in the bid amount. Lou Gerding made a **motion to award the waste collection contract to Rumpke**. Rob Moore seconded the motion. The original bid received was the lowest and the Mayor has re-negotiated with Rumpke for an even lower bid. Lou Gerding stated that we are satisfied with the service that we are receiving from Rumpke. Dave Guidugli requested that Rumpke be informed of the time limitation specified in the contract. Roll call vote showed five

yesses and no noes. Motion carried. Brandon Voelker reported that Rumpke submitted the lowest bid and that Mayor Stoeber negotiated further with them and obtained an even lower bid.

Mayor Stoeber thanked Mr. Terwort from Bavarian for his input.

**Ordinance 06-897, approving non-consensual annexation of property located north of East Low Gap Road, east of US 27 and west of the AA Highway (Bray, Pickett and East Low Gap residences),** was read for the first time in summary form. Charles Gray made a motion to approve this first reading. Motion was seconded by Dave Guidugli. Roll call vote showed five yesses and no noes. Motion carried.

Mayor Stoeber explained that the city prefers to have consensual annexation, whenever possible. He would like authorization to continue discussion to obtain this result. Lou Gerding then made a **motion to enter into a consensual annexation of property located north of East Low Gap Road, east of US 27 and west of the AA Highway (Bray, Pickett and E. Low Gap residences).** Motion was seconded by Charles Gray. Roll call vote showed five yesses and no noes. Motion carried.

**Ordinance 06-898, approving consensual annexation of property located north of East Low Gap Road, east of US 27 and west of the AA Highway (Bray, Pickett and E. Low Gap residences),** was read for the first time in summary form. This includes the request that this matter be reviewed by Planning & Zoning for annexation with a zoning designation of R-3 or MUPD, with their findings being forwarded to this board. Dave Guidugli made a motion to approve this first reading. Tom Baldrige seconded the motion. Roll call vote showed five yesses and no noes. Motion carried. Mayor Stoeber thanked the residents and the developer for their cooperation in the discussion process and their willingness to listen to everyone's viewpoint.

**Authorization for the Mayor to enter into a consensual annexation of property located at the southeast corner of the AA Highway and US 27** was discussed. Charles Gray made a **motion to approve this authorization for the property mentioned previously, otherwise known as the Gallenstein property.** Callabreeze currently owns the property, but Gallenstein has an option on the property. Dave Guidugli seconded the motion. Roll call vote showed five yesses and no noes. Motion carried.

**Ordinance 06-899, approving the consensual annexation of property located at the southeast corner of the AA Highway and US 27 (Gallenstein properties),** was read for the first time in summary form. This parcel will be referred to Planning & Zoning for annexation with a commercial designation such as NC or NSC. Motion to approve this first reading was made by Rob Moore and Dave Guidugli seconded the motion. Roll call vote showed five yesses and no noes. Motion carried.

**Resolution 06-04, requesting that City Council sponsor a map amendment to look at the southeast quadrant of US 27 and the AA Highway,** was read. This is consistent per staff review and the Planning & Zoning public hearing, for the zoning for Ordinance 06-898 and 06-899. Lou Gerding made a motion to approve this resolution.. Dave Guidugli seconded the motion. Roll call vote showed five yesses and no noes. Motion carried.

**Municipal Order 06-03, appointing Joyce Kinnett to the Parks, Recreation and Tree Commission,** was read. Motion to adopt this Municipal Order was made by Charles Gray and was seconded by Dave Guidugli. This appointment is to fill the vacancy of Andy Diemling and will expire on July 19, 2008. All were in favor. Motion carried.

**Ordinance 05-887, closing the old section of Buning Lane,** was read for the second time in summary form. Motion was made by Charles Gray to adopt this ordinance. Motion was seconded by Rob Moore. Roll call vote showed five yesses and no noes. Motion carried.

**Resolution 06-06, approving amended language to the Interlocal Cable Board Agreement relating to distribution of excess money,** was read. Dave Guidugli made a motion to adopt this resolution. Rob Moore seconded the motion. Roll call vote showed five yesses and no noes. Motion carried.

**Ordinance 06-900, updating the Mayor's compensation,** was read for the first time in summary form. Charles Gray made a motion to accept this first reading. Motion was seconded by Lou Gerding. Mr. Gerding stated that the Mayor has been putting in many extra hours in his position, therefore, the raise is justified. Roll call vote showed five yesses and no noes. Motion carried.

**Ordinance 06-901, restricting yard sales within the City of Cold Spring**, was read for the first time in summary form. Rob Moore made a motion to approve this first reading. Dave Guidugli suggested that a time limit of 7:30 am be placed on operation of the yard sales. Mr. Moore amended his motion. Dave Guidugli seconded the motion. Roll call vote showed five yeses and no noes. Motion carried.

**Ordinance 06-902, updating the scope of fines for the Code Enforcement Board**, was read for the first time in summary form. Dave Guidugli made a motion to approve this first reading. Motion was seconded by Charles Gray. Roll call vote showed five yeses and no noes. Motion carried.

**Resolution 06-05, related to the preparation and submission of a FY2005 TEA-21 Grant**, was read. Lou Gerding made a motion to adopt this Resolution. Motion was seconded by Dave Guidugli. All were in favor. Motion carried.

Department reports have been submitted in writing.

All departments have submitted their requests for the upcoming budget.

Charles Gray reported that tree seedlings were given away on Arbor Day. June 27 will be Cold Spring night at the Florence Freedom Ballpark, and the Mayor will be throwing out the first pitch. All residents are invited to attend. The Park Board is launching a new program – Yard of the Month award, to begin soon.

Code Enforcement Officer, Walter Blair, will be requested to attend the April meeting

Mayor Stoeber stated that the new Fire House construction is ahead of schedule and may move in a month ahead of planned date.

Tom Baldrige asked if there were time limits on deliveries made to commercial establishments. There are time limits to the noise ordinances, but not specifically for deliveries.

Mayor Stoeber reported that the existing sign at the co-op school sill be updated soon.

Dave Guidugli made a **motion to go into executive session, per KRS 61.810, B., and C.** Tom Baldrige seconded the motion. All were in favor. Motion carried.

Tom Baldrige made a **motion to return to regular session.** Dave Guidugli seconded the motion. All were in favor. Motion carried. No action was taken during executive session.

Charles Gray made a motion to adjourn. Rob Moore seconded the motion. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**