

**Cold Spring City Council  
Special Meeting  
December 7, 2006**

The special meeting of Cold Spring City Council was called to order by Mayor Mark Stoeber. The purpose of this meeting, as advertised, is to enter into executive session per K.R.S. 61.810 C – Litigation and K.R.S. 61.810 F – Personnel.

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

Mayor Stoeber requested that two memos, dated December 5 and December 6 be entered into the records. These memos were directed to The Recorder, The Enquirer, and The Kentucky Post by the assistant city clerk. They showed the meeting date of this special meeting to be on Thursday, December 7. The December 5<sup>th</sup> memo showed a starting meeting time of 6:30, and the December 6<sup>th</sup> memo showed that the meeting time had been re-scheduled for 5:00 pm. These records show that the newspapers were properly and legally notified and any incorrect advertising was an error on the part of the newspapers.

Lou Gerding made a **motion to enter into executive session per K.R.S. 61.810 C – Litigation and executive session per K.R.S. 61.810 F – Personnel**. Dave Guidugli seconded the motion. All were in favor. Motion carried.

Charles Gray made a motion to come out of executive session. Rob Moore seconded the motion. All were in favor. Motion carried. No action was taken during the executive session.

Motion to adjourn the special meeting was made by Lou Gerding and seconded by Kathy Noel. All were in favor. Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**

## **Cold Spring City Council Special Meeting December 11, 2006**

The special Cold Spring City Council meeting, as advertised, was called to order by Mayor Mark Stoeber. The purpose of this special meeting, was for the swearing in of the mayor and council for new terms, light up Cold Spring winners, recognition of Bogen family for volunteer service, adoption of FEMA National Flood Insurance Program participation, acceptance of street light installation in Granite Spring, and to re-appoint Stephen Taylor to city Planning and Zoning Commission, term to expire 1/31/2011. Roll call vote showed members present - Lou Gerding, Dave Guidugli, Rob Moore, and Kathy Noel – excused were Charles Gray and Stuart Oehrle. Also present were Tom Benke, Ed Burk, Rita Seger and Brandon Voelker.

Mayor Stoeber announced that Public Works employee Dan Corry received his Road Scholar award which will be presented to him on Tuesday by Secretary Bill Nighbert. Congratulations to Dan. Also, Rumpe waste pickup will be pushed back one day during the holiday season. The regular Friday, December 29<sup>th</sup> pickup day will be moved to Saturday, December 30<sup>th</sup>, and the regular January 5<sup>th</sup> pickup day will be moved to Saturday, January 6<sup>th</sup>. We will have notice of this placed on our web page, telephone system and sign boards.

Judge Daniel T. Guidugli was present and he conducted the swearing in of the Mayor / Council for their new terms beginning January 1, 2007. After this ceremony, Mayor Stoeber announced that Judge Guidugli would be retiring at the end of this month, and he read a proclamation and congratulated Judge Guidugli and wished him the best on his retirement.

The November 27<sup>th</sup> council minutes were reviewed by all. Kathy Noel made a motion for approval, and Dave Guidugli seconded the motion. All were in favor. Motion carried.

Mayor Stoeber announced that the Parks, Recreation and Tree Commission toured through the city to make the decision on the winners for Light Up Cold Spring on Sunday. They rode together for about two and a half hours. They reported there were many wonderful holiday displays, and they decided that the winner of first prize would be awarded to Rick and Krista Moore at 313 Town Square. Mayor Stoeber said that they will receive a mantel piece and a sign would be placed in their yard. The four honorable mentions were Daniel and Denise Henry at 1191 East Cabin Creek, Roger and Judith Jones at 11 Glenridge Drive, Daniel and Maureen Randle at 2 Locust Point, and Timothy and Patricia Kramer at 945 Buning Lane. Each of the honorable mentions will receive a Lucite Christmas ornament. Thanks to so many residents for the large turnout of decorations on their homes.

Paul and Sheila Bogen were present and Mayor Stoeber thanked them for their many years of volunteer work and service which they have given so freely to the Cold Spring community. Paul Bogen was one of the founding fathers for our Park Board and Sheila Bogen has been involved with Mix 94 Operation Homefront. Sheila Bogen is now in charge of our Operation Hug program, and she has supported our two city employees when they were deployed in Iraq and Afghanistan, as well as volunteering in many other events. Mayor Stoeber also conveyed his thanks to their children, Matt and Colleen who were unable to attend tonight. They are always ready and willing to help along with their parents at many of the city events. Mayor Stoeber read a proclamation acknowledging and thanking the Bogen family, and he presented them with a Lucite plaque/mantel piece.

Paul Bogen stated that he and his family have enjoyed working with the Cold Spring community, and the Parks Recreation and Tree Commission. We are a blossoming town and he appreciates all of the support the city has given them.

Sheila Bogen gave an update on Operation Hug. At the Lunch with Santa program they sold bakery goods, greeting cards, candy jars which were all put together for the troops. She thanks Nancy Bay, Nancy Legner, Mary Gerhardstein, Paul and Kathy Noel, Rick Smith and Park Board members Mike and Kim Schweitzer, Cindy Wehry, Joyce Kinnett, Lisa Cavanaugh, and the Girl Scouts for helping to put this together. They were able to raise \$138.60 for the troops. She stated that the troops have expressed their deep appreciation to the city of Cold Spring for their donations and support. Sheila also made up a large Christmas card for everyone to sign. She stated that she and her husband would be visiting the troops later this week at Ft. Campbell and presenting it to them at that time. Mayor Stoeber also gave her a letter of support to be included with the Christmas card.

Paul Bogen reported that this year's Lunch with Santa was most successful. Each year gets better and better. They gave out approximately 115 treat bags and over 200 hot dogs and all the games and prizes. The Girl Scouts did a great job.

Paul Bogen thanks the entire Parks Recreation and Tree Commission. They work so well together. They are an excellent group and work together as a team and that is why they can accomplish so much.

**Ordinance 06-922, second reading for the adoption of FEMA National Flood Insurance Program Participations was read in summary form for the second time.** Brandon Voelker gave a review on this, stating that in order to participate in the National Flood Insurance Program we had to adopt a model flood damage prevention ordinance. This ordinance is modeled from the Kentucky Commonwealth, a copy which was provided to council. There are several changes to be included on this since he has just recently spoken to Dionne Field of the Kentucky Division of Water. Mike Schwartz of NKAPC did review this and had some concerns because it involves building issues that may involve text amendments. Dionne Field recommended that we do this under our Policing Powers and amending Section A. to be under K.R.S. 82.082 instead of K.R.S. 100. This is what Campbell County Fiscal Court did. Application to join the National Flood Program have been forwarded to the city offices, but this ordinance must first be adopted before the application can be completed.

Rob Moore made a **motion to adopt Ordinance 06-922 participation in the FEMA National Flood Insurance Program.** Kathy Noel seconded the motion.

Lou Gerding had a question in the model ordinance, page 12 the wording “need date of study”, and page 13 section C. Establishment of Development Permit. Brandon Voelker stated that Dionne Field did change this with provided dates of when they studied the Campbell County area. The development permit would have to be developed by our Flood Plan Administrator with the cooperation of our Zoning Administrator. We do not currently have any development planned in a flood plain.

Lou Gerding stated that at our last meeting, Chief Ed Burk was appointed by Executive Order to act as our Flood Plain Coordinator, and asked if there was a difference between Coordinator and Administrator. Brandon Voelker stated that the administrator is the coordinator, and that the administrator would be the one to sign off on the permits. As building administrator on issues of flooding, it would appropriate to have NKAPC review first. The wording in Section C. should be changed to Flood Plain Coordinator.

Lou Gerding asked when we had to set up a designation of variance and appeal board, as shown on page 26 Article 6 Item 2. Brandon Voelker stated that through this ordinance it was appropriate to use the body which already exists, our Board of Adjustments. From now on in the ordinance any reference to an Appeal Board means the Board of Adjustments. In the area of civil offense, we will take out “misdemeanor and imprisonment fines”, and make everything a civil offense that would send everything to our Code Enforcement Board, to keep things out of the court system and handle everything internally.

Lou Gerding stated at the November 27 council minutes approval of the 1<sup>st</sup> reading said that NKAPC were supposed to let us know in writing that they are happy with the verbiage. We have not received this. Brandon Voelker stated that he addressed their concerns regarding whether they needed a text amendment or have it under our policing powers. This has been taken care of. Lou Gerding made a motion to table adopting ordinance 06-922 until we receive something in writing from NKAPC, as specified in the November 27<sup>th</sup> minutes, that they are happy with the verbiage. Motion died due to lack of a second.

Brandon Voelker stated that the flood plain map will be attached as an exhibit. We join this and the state will put us on their e-mail list and we will be kept abreast of any changes in our maps.

Rob Moore **amended his motion to adopt Ordinance 06-922 participation in the FEMA National Flood Insurance Program to allow for changes as discussed tonight and the changes recommended by the Division of Water.** Kathy Noel seconded this motion. Roll call vote showed three yeses and one no – Lou Gerding. **Motion carried.**

Dave Guidugli made a **motion for acceptance of five new street lights on Quartz Valley in the Granite Spring Subdivision.** Normal costs would be incurred. Rob Moore seconded the motion. Roll call vote showed all were in favor. **Motion carried.**

**Municipal Order 06-08 was read to re-appoint Stephen Taylor to the Planning and Zoning Commission, to expire 1/31/2011.** Lou Gerding motioned for approval. Dave Guidugli seconded this motion. All were in favor. **Motion carried.**

Kathy Noel made a motion to adjourn this special meeting. Dave Guidugli seconded the motion. All were in favor.  
Motion carried.

**Approved:**

**City Clerk:**

**Mayor:**

**Cold Spring City Council  
Special Meeting  
December 14, 2006**

The special meeting of Cold Spring City Council, as advertised, was called to order by Mayor Mark Stoeber. The purpose of this meeting is to enter into Executive Session per K.R.S. 61.810 F – Personnel. Roll call showed the following present – Lou Gerding, Charles Gray, Dave Guidugli, Rob Moore, Kathy Noel and Stuart Oehrle.

Stuart Oehrle made a **motion to enter into Executive Session per K.R.S. 61.810 F – Personnel**. Charles Gray seconded the motion. Rob Moore recused himself from this session. All were in favor. Motion carried.

Special Counsel Mary Anne Stewart stated that the records show that Rob Moore is recused and not present for this executive session per K.R.S. 61.810 F. – Personnel.

Lou Gerding made a **motion to come out of Executive Session**. Stuart Oehrle seconded the motion. Summary call showed all were in favor. No noes. Motion carried.

Disciplinary action against a police officer was heard in an Appeal Hearing as per K.R.S. 15.520 and council upheld Mayor's termination. Disposition of charges are included with this meeting minutes.

Councilman Robert Moore returned to the meeting

As a result of personnel discussion during executive session, a **motion was presented by Councilman Gray and seconded by Councilman Guidugli to ratify actions of Mayor Mark Stoeber for the removal of Ruth (Sam) Smith from the Planning and Zoning Commission effective December 14, 2006. Basis for the ratification was contained within Mayor Stoeber's December 14, 2006 letter to Ms. Smith and the K.R.S. 100.157 requirement that City Attorney Brandon Voelker read said letter into the minutes at the next regularly scheduled Planning and Zoning meeting - January 10, 2007**. Roll call vote showed six yeses: Stuart Oehrle, Lou Gerding, Dave Guidugli, Charles Gray, Rob Moore, and Kathy Noel, and no noes.

Motion to adjourn was made by Dave Guidugli and seconded by Stuart Oehrle. Summary call showed all were in favor. No noes. Motion carried.

Meeting Adjourned

**Approved:**

**City Clerk:**

**Mayor:**