

Cold Spring City Council October 26, 2015

The regular meeting of the Cold Spring City Council was called to order by Mayor Mark Stoeber. 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 and Adam Sandfoss. Also present were Police Sergeant Chris Ratcliff, Administrative Officer Stephen Taylor, City Clerk Rita Seger, and City Attorney Brandon Voelker.

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

There were no additions or deletions to the agenda.

Mayor Stoeber commented that last month we announced the Northern Kentucky Household Hazardous Waste event at the Florence Freedom Center. They take everything that you can imagine and do a spectacular job. It is a large effort and they are starved for volunteers. If they don't have people to pick items out of the vehicles and onto their trucks there can be a bottleneck. He has placed this on his calendar to check his availability to volunteer next year, and if anyone else would be interested in volunteering for this next year, contact the Boone County public works.

Under items of interest to community, Mayor Stoeber stated that Trick or Treat will be held this Saturday, October 31st from 5 pm to 7 pm. He cautions everyone to be extremely vigilant for children who will be walking along the streets. Also at 2 am on Sunday morning, the clocks will be moved back one hour. Election Day will be on Tuesday, November 3rd. The polls are open from 6 am to 6 pm. It is the one right that you truly have that separates us from the rest of the world and the right that all of our freedom is based on. Please do your civic duty. Since he is an interim mayor and a new mayor will be elected, it important for the city to know that he drafted and sent a letter to the two mayoral candidates explaining how the transition to the mayor's office will occur. After the election on the 3rd, the County Clerk needs to officially certify the election, and typically it is certified the day after the election and by law no later than Friday of that week. The mayor's office will transition upon the swearing in of the newly elected mayor. There is no official requirement of when that candidate has to be sworn in however we want to do this as expeditiously as possible. Between himself and the candidates they have worked out that the mayor's office will transition Wednesday, Thursday, or Friday of next week, depending upon the certification. The city and all of the departments are fully ready for the transition.

Right after the new mayor takes office, the city will hold the Veterans Day Ceremony on November 8th, at 1 pm at the Veterans Memorial at Municipal Park. The general agenda has been established, and while the new mayor doesn't have to oversee that ceremony, he typically does so. Councilman Adam Sandfoss filled in for Mayor Stoeber last year at the ceremony and did a great job. Everything is in place. Also the new mayor will preside over the regularly scheduled Caucus meeting on November 9th. There is no change to the Thanksgiving Holiday trash pickup which will be on Friday, the day after Thanksgiving on Friday, November 27th.

As an important item of interest tonight, Mayor Stoeber stated that in August of this year we marked the tenth anniversary of our Code Enforcement Board. They have been vital to our city. It allows us to officially enforce our property ordinances as well as providing a fair and equitable hearing mechanism for people who feel that they didn't violate an issue and wish to discuss it. The Code Enforcement Board is designed for the community to be involved in policing itself. The first step in an adjudication process is to sit among your own city members and talk about whether there was a violation or not. That is the history of the Code Enforcement Board. Most of the board members have been involved for the entire ten year period. Tonight Mayor Stoeber stated that he wanted to officially recognize the Code Enforcement board members, three of whom were present at this meeting. He invited George Gore, Peter Hyde, and Bill Von Strohe to step forward. Mayor Stoeber read a proclamation recognizing and thanking all of the Code Enforcement board members. He then presented each board member with an individual proclamation. A round of applause followed.

Mayor Stoeber stated that with this being his last meeting, he is going to go off the agenda, and he invited Councilman Lou Gerding to step forward. He stated that Lou Gerding is the longest serving councilmember in the city of Cold Spring, for 26 years. Try to put it into context, that is over a quarter of a century, even surpassing Lt. Wayne Hall's 23 years. Another interesting stat is that his years' of service surpass the entire combined amount of service years of our current city council members. Councilman Gerding has always been a strong voice for the community and we could be here for hours listing what he has done for the city and for the mayor, in order to move the city forward. He has always been a strong voice of reason which is what you need on city council as well as someone who is resolute in what they are saying. Mayor Stoeber read a proclamation recognizing and thanking Lou Gerding for being the longest service councilmember in the history of Cold Spring, and he

presented him with a keepsake of a city of Cold Spring flag. A round of applause followed. Mayor Stoeber stated that we also have a Citation of Appreciation from the Kentucky House of Representatives as presented from Representative Joe Fischer. Mayor Stoeber read the Citation recognizing and congratulating Councilman Gerding for his exemplary service not only for the City of Cold Spring but for his country during his service in the Marine Corp. A round of applause followed. In addition Marine Staff Sergeant Harper came forward and presented to Lou Gerding a U.S. Flag which was flown over the United States Capitol at the request of Senate Majority Leader Mitch McConnell in his honor for being the longest serving Council Member in the city of Cold Spring. A round of applause followed. Lou Gerding thanked the mayor, council, and administrator for this honor tonight. He thanked all of the members in the audience as well as the all of the citizens for supporting him over the years. This is very special to him.

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

The minutes of the September 28, 2015 regular council meeting were reviewed by all. Lou Gerding made a motion for approval and Adam Sandfoss seconded the motion. All were in favor. Motion carried.

There were no scheduled guests or unscheduled guests.

Under old business, **Ordinance 15-1020 was read in summary form for the second time amending the zoning map on Aqua Drive from R-RE to PO.** Lou Gerding made a **motion to adopt this ordinance** and Lisa Cavanaugh seconded the motion. Roll call vote showed six yeses and no noes. **Motion carried.**

Ordinance 15-1021 was read in summary form for the second time, regarding the publication of executive orders issued by the office of the mayor.. Adam Sandfoss made a **motion to adopt Ordinance 15-1021**, and Lou Gerding seconded the motion. Roll call vote showed six yeses and no noes. **Motion carried.**

Ordinance #15-1022 was read in summary form for the second time regarding non-elected city officials and “at will” employment for the first 90 days. Lou Gerding made a **motion to adopt Ordinance 15-1022** and Adam Sandfoss seconded the motion. Discussion followed. Brenda Helton stated that this ordinance does not refer to the city administrator under city officials and she questioned if this position was not “at will” or if it was at the approval of council. Brandon Voelker stated that there is another separate provision in our code and is already defined. It is treated separately. Roll call vote showed four yeses and two noes – Helton and Cavanaugh. **Motion carried.**

Ordinance 15-1023 was read in summary form for the second time, for the placement of traffic control devices. Lou Gerding made a **motion to adopt ordinance 15-1023** and Adam Sandfoss seconded the motion. Discussion followed. Chris Ampfer verified that these are the stop signs that were previously discussed for placement in the Granite Spring condos. He was speaking to one of the members on that Board, who told him that these signs may be placed in the wrong area, or maybe they did not receive all of the stop signs that they wanted in that area, or maybe there are more signs coming up. Mayor Stoeber stated that the first request that came through was for three signs, and by the time that we came together for the first reading of the ordinance for those three signs they came through with another request for four or five signs. Mayor Stoeber stated that this ordinance is to technically fulfill both requests. The first three were approved by Safety Committee and the signs went up, but technically they were not enforceable so when the first three signs went up and the next request came in, this will make them all legally enforceable. The next signs will go up after this is approved as opposed to before. Steve Taylor stated that the first set of signs went up in the places where the property manager had requested them, but since then there was further discussion by the Board and they wanted additional signs to go up in different locations. That was discussed at their first meeting but not stressed to the city by the property manager, so the first signs went up according to the directions that the city received and then the second signs will be added via this ordinance. Roll call vote showed six yeses and no noes. **Motion carried.**

Under new business was an inventory disposal request by the Police Department for surplus items. Lou Gerding made a motion to approve the disposal of these inventory items as long as they follow the K.R.S. rule. Roger Jones seconded the motion. Discussion followed. Chris Ampfer questioned what the K.R.S. rules state and asked if we just wipe out the memories of the PC’s. Brandon Voelker stated that to declare surplus they have to be disposed of in a reasonable manner and obviously if it has sensitive material on them, then they have to be wiped clean. Chris Ampfer questioned if these items are not working or out of date. Mayor Stoeber stated that he believes these computers are very old and probably will not be attempted to be sold. Adam Sandfoss questioned if the non-electronics such as the brown table and two desk units can be donated to a charity of some sort. Mayor Stoeber verified with Brandon Voelker that if they have no real value we can donate them to a charity of our choice. We will talk to Chief Messer to see if we can find a home for them. All were in favor. **Motion carried.**

Mayor Stoeber stated that approximately five months ago council surplused a variety of police cruisers for mileage or workability and they are still here. In the past and in the spirit of giving, we struck up a relationship with the poorest county in the United States, Owsley County. Mayor Stoeber had visited there and spoke to the police chief and the mayor. For three years straight we have donated our surplus cruisers to them and they have been glad to get them. Last year we had no excess cruisers so we had no donations. Late last week the Owsley County Police Chief called Steve Taylor and asked if we were surplus any cruisers. Steve Taylor affirmed that we had some vehicles, however in the surplus approval at that time, council did not designate the ability to donate them. Mayor Stoeber would like to request that this topic be put on the caucus agenda for November, just to have that discussion as to whether or not council wants to blind bid or sell them or donate the cruisers.

There were no follow up citizens comments.

Department reports were submitted in writing.

Lisa Cavanaugh questioned how long it takes for street lights to be repaired. She requested a repair for a light on Millrace and it has not been taken care of yet. Steve Taylor stated that they are reported to Duke Energy for repair, and sometimes they have to order parts and it may take four months before they fix it. It is in their work order system for repair.

Mayor Stoeber stated that Brian Messer is at a Police Chief's conference this week which is why he is not present tonight, so either he or Sgt. Ratcliff or Lt. Hall will attempt to answer questions regarding the Police Report. Brenda Helton verified that there was a glitch in their system when running the reports but wants to make sure future reports will remove the name of a former councilmember. Mayor Stoeber commented that he put at council's places on the dais Brian Messer's five month self-review. He completely agrees with it. Chief Messer has worked very hard in his new position as you can see from his accomplishments, and he gives Brian Messer his complete endorsement as a police chief. More important is that he is willing to learn, listen, and think critically in addition to being a very fine police officer and heading up a very fine police department. Being a police chief is a completely different animal than being a police officer. You have to be very good at your profession but also be a leader of a group of people and a leader for the safety of 6,000 residents, hundreds of businesses, thousands of homes. He listens very well which is a key critical requirement for a good leader. Council has his review, and for the mayoral candidates he has a complete package so that they can go over everything that has been done since he was appointed as Police Chief.

Council comments followed.

Adam Sandfoss, as a resident health care advocate on council, commented that it is flu season and the state has had two influenza cases, one in Kenton County. Be sure to get your flu shot, especially if you have any type of immuno-compromised system. He also reminded everyone that next week is Election Day, November 3rd. Not only do we have the mayor's race but we have the governor's race as well as the secretary of state race. To be honest those races affect you a lot more than presidential races do. Please go out and vote. As long as you are in the line by 6 pm they cannot turn you away. You can go to the secretary of state's website to get any information and find out where you vote.

Christopher Ampfer thanked Lou Gerding for his long standing service of 26 years and he thanked Mayor Mark Stoeber for stepping up and filling in the void for us.

Roger Jones also thanked Mayor Stoeber for stepping up and he thanked Lou Gerding for his years of service. He looks forward to working with the next newly elected mayor.

Lou Gerding thanked Mayor Stoeber on behalf of council and our citizens for stepping up to fill the vacant office of mayor for the past several months. He has shown by his comments tonight that he has got things ready for the next mayor to step in. This will make things not only so much easier for them, but also for council. The new mayor can step right in and run with the ball.

Lisa Cavanaugh thanked Lou Gerding for everything that he has done for the city over the many years he has been here. Whether citizens agree with him or not, they respect him and everything that he has done in the community. She stated that everyone was familiar with the Concert / Cruise In that we held for many years and everyone was disappointed when it was cancelled. When she was out campaigning, more people asked about that than other city issue. She was recently contacted by a member of the former Hot Wax Band, now known as the Belairs, and she is so excited to say that the Cruise In and the Concert will be a part of the city's 75th anniversary. They are thrilled to come back and they have added a female vocalist to the group and have a new show. Lastly, she said that when the previous mayor resigned she left many problems and issues for us to deal with but this city council worked well together and did a good job in restoring safety and stability to the city. She thanked Mayor Stoeber, Attorney Brandon Voelker, and Administrator Steve Taylor for being willing to return to their positions to clean up the

mess that was dumped on us. This administration over the last decade has done a lot of positive things to enhance the community in many different ways. Electing a new mayor will be a new beginning and a foundation as we progress into the future that will affect each of us. We will be the only local election this year and in the spotlight again. It is important that each one of us gets out and votes. Your voice makes a difference. There is early voting that you can do now, including Saturday from 9 to noon at the Board of Election Office in Newport. Consider the facts and issues of importance and qualifications necessary to be mayor for the city and please vote responsibly.

Mayor Stoeber thanked council for their confidence in bringing him back. They have worked very hard together. It is not often that you get a chance for a do-over and the city is very fortunate that way. He thanked Brandon Voelker and Steve Taylor for coming back, and Brian Messer for stepping up and the Police Department for filling in and taking on the mantle of responsibility on their shoulders without guidance. He also thanked City Clerk Rita Seger for holding it together. The city rested on her shoulder for a while and she did and will continue to go a good job. An important part of his last goodbye was to thank his children, who were at home when he was going through his many years of service to the city and now that he is again saying his goodbyes, he wants to thank his wife. As Lou Gerding can attest, someone always has to carry the ball because a mayor or city official is not at home many times and someone has to take the phone calls, or you may be sitting at dinner when the phone rings and things change. It is an interesting life. His wife has always supported him and he thanks her for that.

Resident Nancy Barnes was the winner of the American Flag and pole.

Mayor Stoeber announced that on the agenda you will see an executive session which means that although this meeting will continue, he will ask the audience to leave since this is a private section.

Lisa Cavanaugh made a **motion to enter into Executive Session, per K.R.S. 61.810 B – Real Estate** and Lou Gerding seconded the motion. All were in favor. **Motion carried.**

Lou Gerding made a **motion to come out of Executive Session**, and Adam Sandfoss seconded the motion. All were in favor. **Motion carried.**

There was no action taken during the executive session.

Adam Sandfoss made a motion to adjourn the October 26, 2015 council meeting, and Lou Gerding seconded the motion. All were in favor. **Motion carried.**

Approved:

City Clerk:

Mayor: