

The July 22, 2024 council meeting was called to order by Mayor Penque at 7:30pm.

Prayer and pledge were led by the City Clerk

Roll Call & Exit Instructions:

- Present: Mayor Penque, Chris Ampfer, Lisa Cavanaugh, Dave Guidugli, Paul Kloeker, Cindy Moore, Adam Sandfoss, City Clerk Robin Morency, City Administrator Steve Taylor, Police Chief Steve Collinsworth, Public Works Director Ron Hitch, and City Attorney Brandon Voelker.

Additions or Deletions to the Agenda: None.

Items of Interest to the Community:

- July 25, 2024 – Summer Concert Series: StrangeLove. The concert is from 7-9:30pm. Vendors will be present for food and beverages.
- July 28, 2024 – The Florence Community Band from 6pm-8pm. Concessions will be available for purchase.
- July 29, 2024 - Yoga in the Park at 10am. Yoga sessions have been extended; they are on Mondays at 10am through August 12.
- Sewing Club is held in room 102 of the community center on the first and third Thursday of the month at 9am
- Silver Sneakers is held Tuesday, Wednesday, and Thursday in the gym at the community center. Tuesdays and Thursdays it starts at 9:20am, Wednesdays it starts at 9:30am. The up-to-date schedule is on the calendar that is posted on the website.
- A representative from TANK will be at the community center August 5 at 10:00 to educate residents on the new TANK Plus service coming to Cold Spring early this fall. TANK Plus is a pilot launch of Microtransit (kind of like an Uber, but with a bus). Everyone is welcome to come learn about the new service and how to use it. No registration required.

Approval of Minutes:

- June 24, 2024 council meeting minutes were reviewed by all. Adam Sandfoss made a motion to approve, second by Lisa Cavanaugh. Dave Guidugli requested clarification on Mark Stoeber's comments. All were in favor with the corrections. **Motion passed.**

Recognition of Scheduled Guests:

- Chris Courtney, Associate Director of Local Government Services at the Northern Kentucky Area Development District provided a short presentation reviewing the services they provide; they provide technical assistance and support for local communities. Paul Kloeker asked how they are funded; Mr. Courtney said they are funded by state funding, grant fees, associations, and contracts. Lisa Cavanaugh said that they are a great organization and offer a lot of assistance.

Recognition of Unscheduled Guests:

- Dr. Mark Schroer – Dr. Schroer stated that he is a doctor of internal medicine and offered himself as a resource while council decides how they are going to handle the legalization of medical marijuana. He feels that there will be tremendous consequences to this new law and more research is needed. Dr. Schroer shared his concerns, he feels that it will give patients false hope and that it will legitimize the recreational use of marijuana. Dr. Schroer

Cold Spring Council Minutes
July 22, 2024

urged council to take their time and wait for the science to catch up to the politics. Adam Sandfoss clarified that medicinal marijuana has already passed in Kentucky, and will be legal regardless of what council decides; council is deciding whether medicinal marijuana businesses can operate within the city.

- Brian King (resident) shared his concerns with the traffic that will be increased by the development at the DAV property. Mr. King stated that more people need to come to these meetings if they want their concerns to be heard.
- Mike Schmitz (resident) said that the city wants something different than the residents do. He asks that council listen to the residents' concerns and take them into consideration

Old Business:

- Ordinance 24-1094, 2nd reading of an ordinance amending the zoning map of the City of Cold Spring, County of Campbell, Kentucky for an approximate 27-acre area of land on the corner of Alexandra Pike (US 27) and Industrial Road in the City of Cold Spring from Industrial Park (IP) to Mixed Use Planned Development (MUPD) and Neighborhood Commercial (NC). Lisa Cavanaugh made a motion to approve, second by Chris Ampfer. Cindy Moore read from the letter submitted by Al. Neyer "If, in the future, our development plan involves residential product for the undeveloped portion of the property, we are willing to bring the proposed plan for such residential development before the City Council for its review and approval." Ms. Moore asked for confirmation that it will come back to council, in addition to Planning & Zoning; Mr. Voelker stated that is correct. There was discussion about the 20% common open space recreation area, Mr. Voelker read from the ordinance and that is a requirement. Cindy Moore said her concern is that they will ask for a variance. There was discussion about parking stall size requirements, Ms. Moore asked the developer to make sure that they are the correct size. Ms. Moore shared her concerns with the traffic impact study, stating that roads mentioned in it do not even connect to US 27 and she thinks another study needs to be done. In regards to density, Ms. Moore would like to see a text amendment to the MUPD zone so that they can control the amount of building on one acre. There was discussion about a possible extension if the developer and city agreed to that. Ryan Reardon with Al. Neyer addressed council, stating that he appreciates the concerns and it should be taken into consideration that they are working with other partners, he is not sure what impact an extension would have on those conversations. Mr. Reardon stated that the traffic study letter provided was just a summary and it was referencing a signal point at Wendy's. There was discussion about a text amendment to limit the density for the MUPD zone or keeping the 10-acres in the back of the development as IP Zone. Brandon Volker suggested that we add to the ordinance "Lastly, that the zone change is contingent upon compliance with the Cold Spring Zoning Ordinance's Common Open Space/Recreation area requirement of 20%"; the developer was in agreeance. Lisa Cavanaugh and Chris Ampfer made the motion and second, they agreed to that addition to the ordinance for their motion. Mr. Voelker advised council that Campbell County Planning & Zoning has already started reviewing the MUPD zone for amendment. Dave Guidugli called the question. Roll call vote shows 4 yeses and 2 noes – Guidugli and Moore. **Motion passed.**
- Medical marijuana discussion: Brandon Voelker explained what the current options are for the city; they can approve and decide where it will be allowed through zoning, they can put it on the ballot for citizens to vote, or they can do nothing and follow the county ban. Adam Sandfoss does not feel that it should be banned in the city, as it is not much different than a pharmacy dispersing prescribed narcotics, or a liquor store. Lisa Cavanaugh said most of the residents that she has talked to, do not want it in the city and she feels that this issue should be placed on the ballot for the residents to vote on. Ms. Cavanaugh said that there is more research to be done and Cold Spring should hold off on allowing it at this time. Mr. Guidugli stated that the few people he talked to, have no desire to put it on the ballot. The majority of council agreed that it should not be placed on the ballot. Paul Kloeker thinks it is a matter of policy that we do not discourage business and he is not against to having it within the city. Steve Taylor advised council that there are 5 categories to consider: cultivation, processors, producers, dispensaries, and safety compliance; you cannot pick and choose what to allow, it is all or

Cold Spring Council Minutes

July 22, 2024

none. It was suggested to put this on the next caucus meeting agenda to allow for more research and to see what other cities are doing. There was discussion about various regulations from the state website. Brandon Voelker stated that council is not on a time crunch to decide if it is not desired to be placed on the ballot and suggests that zoning be reviewed by Campbell County Planning & Zoning.

New Business:

- Brandon Voelker advised that this had been briefly discussed in the past; making it a requirement that before a developer submits a Stage 1 development plan, they must receive approval from the state in regard to the roadways. Paul Kloeker stated that sometimes plans change between the Stage 1 and Stage 2 plans, so he would like to see that it is a requirement to have a traffic study completed before the Stage 1 plan is brought to the planning and zoning commission. Dave Guidugli made a motion to approve council sponsoring a text amendment for study, to have planning and zoning conduct a public hearing adding a requirement that KDOT approvals be obtained prior to submission of a Stage 1 development plan, second by Paul Kloeker. Roll call vote shows 6 yeses and 0 noes. **Motion passed.**

Follow up Citizen Comments:

- Brian King (resident) suggested that the developer at the DAV property work with Verizon to get a cut through for the Henry Court residents to use the light. Steve Taylor said a cooperative agreement would be needed from PNC and Verizon. Mr. King asked if someone from the city could ask Neyer to host a meeting to allow for more conversation with the residents.
- Lisa Rusch (resident) asked if the name of the development at the DAV is set in stone, Paul Kloeker stated that is a placeholder. Ms. Rusch feels that is not a fitting name and should be reconsidered.
- Mike Schmitz (resident) asked about the possibility of purchasing an area behind his house on Henry Court, he said he asked about this a few years ago and was curious if that is still an option. He grows trees as a hobby and would be willing to organize an arboretum as a buffer area. He is also requesting a visually impaired crosswalk at McDonalds and was told that the city needs to request that. If the intersection is going to be redone, he is requesting that be installed.
- Mindy Schmitz (resident) asked if the housing density requirements can be implemented before the development, she would rather see townhouses than apartments.
- Dick Harvey (resident) shared concerns with high density housing at the DAV site. Mr. Harvey said the daily lifestyle of the residents in this area will be affected by this, and hopes council knows what they are doing.
- Brian Markus (resident) asked for confirmation that the letter submitted by Neyer is a binding document; Mr. Voelker stated that it is written in the ordinance.
- Mark Stoeber (resident) said there was a large development years ago, where the developer came to the city to hold meetings to advise residents of the plans, and it proved to be helpful since they were open to feedback from the residents. Mr. Stoeber suggested that Neyer do this as they get closer to the Stage 2 plans, he hopes the city can take advantage of that opportunity as many residents would appreciate it. Mr. Stoeber added that this developer had a contest with the local schools to name this development. Mr. Voelker stated that they only submitted a concept plan, so a Stage 1 plan is still needed.
- Rick Steinmetz (resident) asked if it is set in stone that St. Elizabeth is a part of this development. Brandon Voelker stated that names cannot be disclosed at this time. Mr. Steinmetz suggested there are other companies that would be beneficial as an addition to this site. There was discussion about who owns the land and revenue bonds.

Cold Spring Council Minutes

July 22, 2024

- Lisa Rusch (resident) asked if there is a timeline for demolition; Mr. Voelker stated that is not known at this time, but it will be posted when the city is made aware. Ms. Rusch would like notice in advance as she has many concerns about the demolition.
- Don Seibert (resident) said that many people are enjoying the pickle ball courts but asked if the installation of wind screens can be considered to help mitigate the wind gust issues. Mayor Penque stated that this is being looked into by the Public Works Director, as well as some shelter at the courts.
- Brian Markus (resident) stated that lighting would be a nice addition to the pickle ball courts.

Department Reports (in writing)

Council Comments:

- Cindy Moore asked Steve Taylor how far behind Midland is on the excavation. Steve Taylor stated that he isn't sure, but the blasting plan was submitted a month ago and there has been no progress made on that. There was discussion about the massage parlor. Steve Collinsworth said that complaints have been filed and they are waiting on follow up from the state. Ms. Moore asked if there will be more raised flower beds installed at Orchard, Ron Hitch stated that they are behind on this due to the heat but there are plans in place. Cindy Moore wanted to point out that the developers left after the vote was taken.
- Dave Guidugli inquired about a stop sign at Starbucks; Mr. Voelker said that if it is private property, they are the ones who erected it not the city. Mr. Guidugli said that Crossroads looks terrible after the trees were removed due to construction. Mr. Voelker said it is still a work in progress. There was a discussion about the gas line work on Martha Layne Collins Boulevard.
- Paul Kloeker complimented the bicycle training program that the police department had; he hopes more people can participate at the last one.
- Adam Sandfoss thanked everyone for coming, he hopes residents continue to stay engaged.

Attorney Comments: None.

Mayor Comments:

- Mayor Penque thanked everyone for coming. He thanked council for doing a great job moving the city forward; it is appreciated.

Adjournment:

- Adam Sandfoss made a motion to adjourn the meeting at 9:35pm, second by Lisa Cavanaugh. All were in favor.
Motion passed.

Approved: 8/27/24

City Clerk: 

Mayor: 

To view the meeting agenda, visit: <https://coldspringky.gov/city-council/meeting-agendas/>

To view the meeting video, visit: <https://coldspringky.gov/meeting-videos/>