



## **Cold Spring City Council Special Meeting February 9, 2026 7:30pm**

1. Call Meeting to Order
2. Prayer & Pledge
3. Minute Approval
  - December 8, 2025 Special Council Meeting
4. Annexation Agreement
  - St. Luke Lutheran Church
5. Discussion
  - Occupational Taxes
6. Citizen Comments (*5 minutes per speaker*)
7. Council Comments
8. Mayor Comments
9. Adjournment



## Cold Spring Council Minutes

December 8, 2025

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The December 8, 2025 special council meeting was called to order by Mayor Penque at 6:30pm.

Prayer and pledge were led by the city clerk.

### Roll Call & Exit Instructions:

- Present: Mayor Penque, Chris Ampfer, Lisa Cavanaugh, Steve Cunningham, Cindy Moore, Adam Sandoss, Laura Vroegindewey, City Clerk Robin Morency, Public Works Director Ron Hitch, Police Chief Steve Collsworth, and Attorney Brandon Voelker.

### Items of Interest to the Community:

- Light Up Cold Spring: We will be accepting nominations until December 12<sup>th</sup>. Please contact the clerk's office to submit a nomination.
- Pancakes & PJ's with Santa: December 13<sup>th</sup> from 10:00am – 12:00pm. Registration is now closed. We look forward to seeing everyone Saturday!
- Cram the Cruiser: December 13<sup>th</sup> from 8:00am to 2:00pm at the Kroger on Crossroads Boulevard. The St. Vincent de Paul Wish List can be found on the Police Department and City Facebook page.

### Minute Approval:

- November 24, 2025 meeting minutes were reviewed by all. Adam Sandfoss made a motion, seconded by Lisa Cavanaugh. All in favor. None opposed. Motion passed.

### Citizen Comments:

- Lou Gerding (resident) shared information from a Cincinnati Enquirer article noting that two of the busiest streets in the tri-state are in Cold Spring. He urged Council to vote against the proposed SDA text amendments.
- Alan Smiley (resident) came to oppose the Culver's restaurant at the proposed location due to traffic issues.
- Rick Steinmetz (resident) asked to confirm that this was the second reading. Mayor Penque confirmed that it was.
- Paul Studer (resident) wanted to reiterate how the SDA Zone came about. He is very concerned about what would happen if these amendments are passed.
- Joe Heil (resident) stated that he attended the stormwater meeting, found it to be very informative, and thanked Ron Hitch and his crew. Mr. Heil stated that many residents on surrounding streets near the proposed Culver's location would be negatively impacted, affecting the health, safety, and welfare of residents, and that they deserve to be protected. He also stated that he does not support the appointment of Paul Kloeker to the Planning and Zoning Commission.
- Richard Hughes (resident) asked if there were any modifications to ordinance 25-1106. He was assured that there were no changes.
- Carol Haas (resident) spoke to council regarding a for a leaf removal program.
- Mark Stoeber (resident) spoke about an article regarding the busiest areas in Northern Kentucky, noting that Cold Spring has three of them, including one area with approximately 43,000 vehicles per day. Mr. Stoeber recommended that the two-acre requirement remain in place.
- Ken Voelker (resident) asked council to vote for what is right and to listen to the residents.
- Debbie Popovich (resident) stated that allowing the acreage requirement to be reduced would have life-changing impacts due to increased traffic generated by additional drive-throughs.



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- Linda Williams (resident) questions what the reasoning behind the text amendment is. She thinks that Culver's would be an asset to the city, but this is not the location for it.
- Ann Marie Perkins (resident) shared her vision for the future of Cold Spring and expressed concerns about already problematic traffic patterns, stating that she does not see any benefits to the SDA text amendments.

### Ordinance 25-1106:

- 2<sup>nd</sup> reading to adopt amendments to the Special Development Area (SDA) Zone. Chris Ampfer made a motion, second by Adam Sandfoss. Laura Vroegindewey asked Brandon Voelker to clarify why ordinances have a first and second reading, Mr. Voelker noted that historically Cold Spring has conducted readings differently than most cities, which typically do not vote on the first reading. Roll call vote shows 2 yes and 4 no – Cunningham, Moore, Sandfoss, Vroegindewey. Motion failed. Steve Cunningham suggested that council consider approving the one item in the ordinance pertaining to dwelling units. Brandon Voelker suggested that council look to sponsor another amendment with that change.

### Ordinance 25-1107:

- 2<sup>nd</sup> reading to adopt an ordinance providing for Social Security participation. Steve Cunningham made a motion, second by Laura Vroegindewey. Roll call vote shows 6 yeses and 0 no. **Motion passed.**

### Municipal Order 25-11:

- An order appointing Paul Kloeker to the Planning & Zoning Commission to fill a vacancy. Lisa Cavanaugh made a motion, seconded by Chris Ampfer. Steve Cunningham read comments from resident Steve Popovich, reiterating his comments from the last meeting. Paul Kloeker addressed council and accusations made at the previous meeting. Council member shared their thoughts on the appointment and Paul Kloeker shared his reasoning for his interest in the vacancy and why he believes he is a good candidate. Roll call vote shows 3 yes and 3 no – Cunningham, Moore, Vroegindewey, Mayor Penque broke the tie with a yes vote. **Motion passed.**

### Follow Up Citizen Comments (5 minutes per speaker)

- Debbie Popovich (resident) addressed accusations against her husband, Steve Popovich.
- Mark Stoeber (resident) explained the reasoning behind the city's practice of holding a vote during the first reading, stating that the first vote serves as a vote of intent and demonstrates respect to residents by showing where council stands.
- Richard Hughes (resident) apologized for speaking out against a council members opinion.
- Dave Woughter (resident) thanked council for voting no on the SDA amendments, and suggested that the comprehensive plan be reviewed.
- Carol Haas (resident) suggested that the next newsletter include additional information about the committees and any current vacancies.

### Council Comments

- Steve Cunningham apologized for how his comments may have been perceived and wished everyone a wonderful holiday season.
- Laura Vroegindewey thanked everyone for coming and wished everyone a happy holiday.
- Cindy Moore thanked everyone for coming to the recent meetings and appreciates the public input.
- Lisa Cavanaugh thanked everyone for attending and reminded the audience that there are always people on both sides of any issue.
- Adam Sandfoss thanked everyone for coming and wished everyone a happy holiday.



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- Chris Ampfer explained the reasoning behind his vote, congratulated Mr. Kloeker on his appointment, and wished everyone a Merry Christmas.

### Mayor Comments:

- Mayor Penque addressed the planning and zoning process, traffic complaints and wished everyone a Merry Christmas and Happy New Year.

### Adjournment:

- Adam Sandfoss made a motion to adjourn the meeting at 7:48pm, seconded by Lisa Cavanaugh. All in favor. None opposed.

Approved:

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/>*

## Robin Morency

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**From:** Brandon Voelker <bvoelker@gatlinvoelker.com>  
**Sent:** Wednesday, January 21, 2026 12:26 PM  
**To:** Angelo Penque; Ron Hitch; Robin Morency; Steve Cunningham; Cindy Moore; Chris Ampfer; Laura Vroegindewey; Adam Sandfoss; Lisa Cavanaugh  
**Cc:** Minter, Cindy  
**Subject:** Monday Meeting  
**Attachments:** Lutheran Church Annexation Agreement.pdf; Lutheran Church Annexation Plat and legal.pdf

All,

Attached is a Annexation Agreement and Plat/Legal description for the St. Luke Lutheran Church on US 27, across from Dunkin Doughnuts. If you review the Plat, you will see two parcels, a 5-acre tract owned by Ken Perry (KPR Development) that is in the City of Cold Spring and 12 acres the Lutheran Church which is unincorporated Campbell County.

Ken and the Church are working to develop the parcels for single family homes, a project like Shadow Lake, but also ensuring that the church does not become a non-conforming and/or conditional use. Essentially, if the properties are looked at, the church would normally be a commercial zone, and the two property owners thinking residential appropriate in the rear.

KRS 81A.412 allows a City to annex property, provided there is consent from the owner. KRS 100.209 allows a City to have zoning considered prior to adoption. KRS 100.211 allows a city to sponsor a public hearing to change the zoning map designation for a parcel of property. Zoning Map changes may be sought by the following, the legislative body, P and Z and/or the property owner, compared to a text, which is limited to legislative body and/or P and Z.

The proposed agreement would trigger the following: upon approval by Council and St. Luke Lutheran Church, the Agreement would initiate a public hearing before the Planning and Zoning Commission to consider what zoning designation should be given to the St. Luke property if annexed and also whether KPR developments property should also be zoned the same.

Once P and Z make a recommendation, both the annexation and zoning of the annexed property come to council for a vote and the KPR zoning recommendation would also come to council. As to timing, there are no time constraints for Council on the annexation/zoning votes, on KPR, any P and Z recommendation, since a zone change, would be on a 90-day shot clock.

Ken Perry will be at the meeting Monday night to discuss, he has advised the mayor and staff that the development assuming zoning/annexation goes through, will be for owner occupied condominium type housing.

Voting to authorize the annexation agreement, does not complete the process, it just begins the zoning consideration, and both the City and St. Luke Lutheran can reconsider up until a second reading of an ordinance annexing would occur. We have used this process in the past, for example, Granite Springs was partially in the County, the Midland/Publix site, and a few others through the years. It is a good way to enlarge the city's boundaries, by agreement from property owners.

I have my son's confirmation Monday night, so I would ask if you could call me in advance with any questions or concerns, or if more explanation is needed. Depending on the confirmation time, Avery will be there for me,

should the Confirmation interfere. For any public questions, feel free to share this email, since I believe when it comes to zoning, there are always several public assumptions that are wrong.

Thanks, Brandon

**Brandon N. Voelker**  
Attorney at Law

**Gatlin Voelker PLLC**  
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[Read Brandon's Bio](#)

[Leave us a review on Google](#)

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## **ANNEXATION AGREEMENT**

**Whereas**, the City of Cold Spring, Campbell County, Kentucky is desirous of annexing a parcel of property owned by St. Luke Lutheran Church, Inc., an approximate 12.86 acre site off US 27; and

**Whereas**, KPR Development Group, LLC owns an approximate 5.72 acre lot to the rear of the proposed annexed St. Luke Lutheran property, which is in the City of Cold Spring and zone R-1D; and

**Whereas**, St. Luke Lutheran Church and KPR Development Group LLC, are seeking to have both properties located in the City of Cold Spring, with a single zoning designation, the ensures the existing church, with redevelopment of both rear parcels; and

**Whereas**, St. Luke Lutheran Church, Inc., is desirous of being consensually annexed into the City of Cold Spring, pursuant to Kentucky Revised Statute 81A.412, if certain conditions and considerations are met.

### **Now Therefore it is Agreed as Follows:**

1. That St. Luke Lutheran Church Inc. is agreeable, and this Agreement shall provide notice of their intent and/or consent to be annexed into the City of Cold Spring pursuant to Kentucky Revised Statute 81A.412. A description of said land to be annexed is attached hereto as Exhibit A and incorporated by reference herein.
2. That prior to taking final action to annex, the City of Cold Spring, pursuant to KRS 100.209 agrees to set both the St. Luke Lutheran Church Inc., property in unincorporated Campbell County, pursuant to KRS 100.211 and the City of Cold Spring, agrees to also sponsor a proposed Zoning Map Amendment for the KPR Development Group, LLC, for consideration by the Cold Spring Planning and Zoning Commission for a zoning map designation of Mixed Use Planned Development (MUPD) for both parcels of property upon annexation.
3. That upon execution of this Agreement, by both parties, the City of Cold Spring will have first reading of an Ordinance Annexing the aforementioned property and a second reading will not be considered until the Planning and Zoning Commission conducts said public hearing and makes recommendations for zoning as set forth herein.
4. That St. Luke Lutheran Church reserves the right to revoke this consent to annex up to and including prior to the City of Cold Spring taking action to have second reading to adopt said Ordinance of Annexation.
5. This agreement constitutes the entire agreement of the parties and may not be modified.

City of Cold Spring

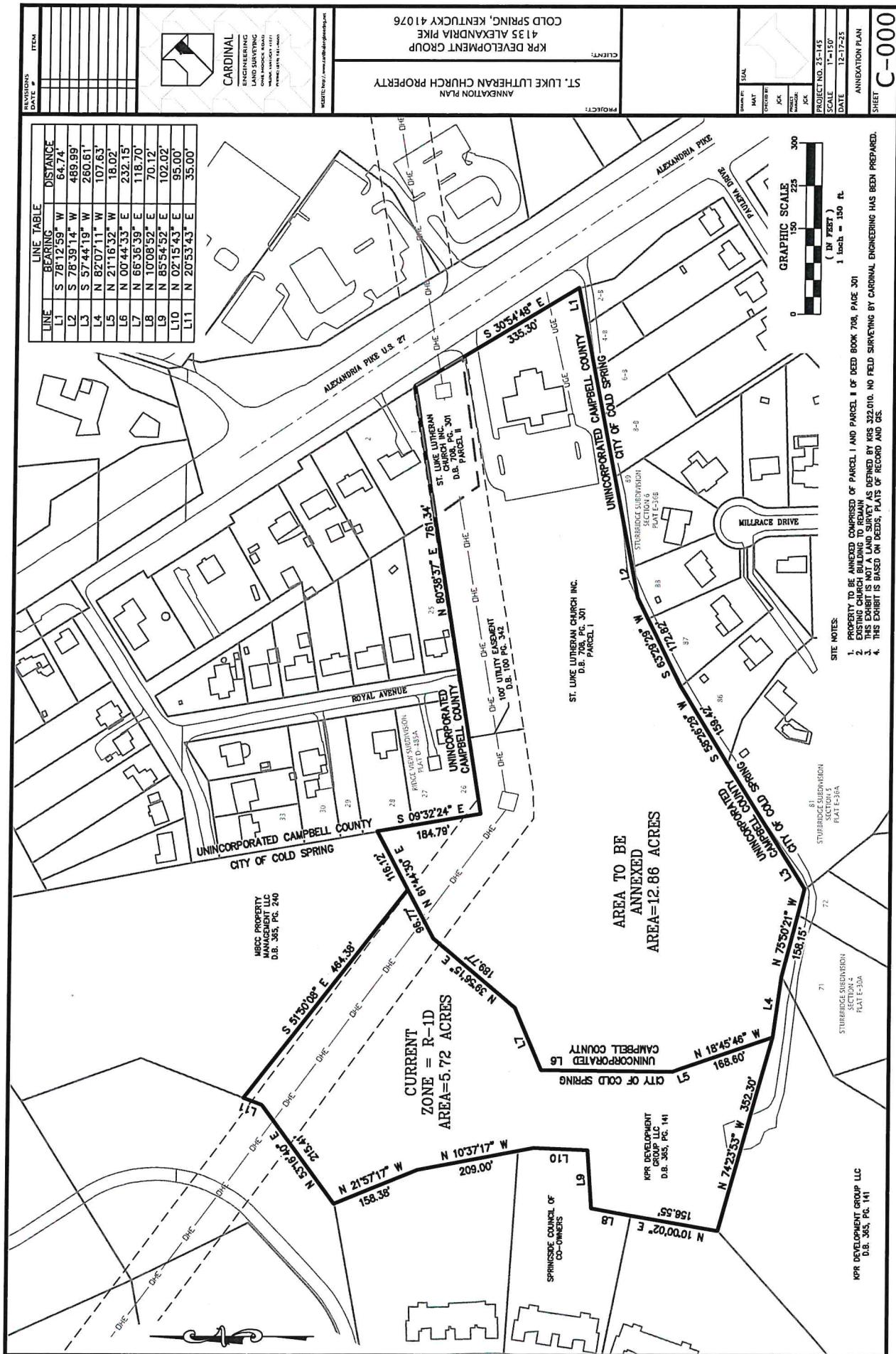
St. Luke Lutheran Church

By: \_\_\_\_\_  
David Angelo Penque, Mayor

Date: \_\_\_\_\_

By: \_\_\_\_\_  
, Title \_\_\_\_\_

Date: \_\_\_\_\_



PARCEL TO BE ANNEXED  
4800 ALEXANDRIA PIKE

Lying in Campbell County, Kentucky, along the west side of Alexandria Pike, approximately 300' north of Paulena Drive. Being all the land conveyed to St. Luke Lutheran Church Inc. as shown in Deed Book 708, Page 301 Parcel I and Parcel II, more particularly described as follows:

Beginning at the common corner of said St. Luke and Sturbridge Subdivision (Section 6 Plat E-36B) in the west right of way of Alexandria Pike (U.S. 27), along the common line of said properties the following four (4) calls;

South 78°12'59" West 64.74 feet to a point;

South 78°39'14" West 489.99 feet to a point;

South 63°29'29" West 172.82 feet to a point;

South 58°26'29" West 159.42 feet to the common corner of said Sturbridge Subdivision Section 6 and Sturbridge Subdivision (Section 5 Plat E-36A);

Thence along the common line of said St. Luke and Sturbridge Subdivision Section 5 the following two (2) calls;

South 57°44'19" West 260.61 feet to a point;

North 75°50'21" West 158.15 feet to the common corner of said Sturbridge Subdivision Section 5 and KPR Development Group LLC (D.B. 365, PG. 141);

Thence along the common line of said St. Luke and KPR Development Group LLC the following seven (7) calls;

North 82°07'11" West 107.63 feet to a point;

North 18°45'46" West 168.60 feet to a point;

North 21°16'32" West 18.02 feet to a point;

North 00°44'33" East 232.15 feet to a point;

North 66°36'39" East 118.70 feet to a point;

North 39°56'15" East 189.77 feet to a point;

North 61°44'30" East 96.77 feet to the common corner of said KPR Development Group LLC and MBCC Property Management LLC (D.B. 365, PG. 240);

Thence along the common line of said St. Luke and MBCC Property Management Group LLC, North 61°44'30" East 116.12 feet to a point in the line of Ridge View Subdivision (Plat D-485A);

Thence along the common line of said St. Luke and Ridge View Subdivision the following two (2) calls;

South 09°32'24" East 184.79 feet to a point;

North 80°38'37" East 761.34 feet to a point in the west right of way of Alexandria Pike (U.S. 27);

Thence along said west right of way, South 30°54'48" East 335.30 feet to the POINT OF BEGINNING.

Said herein parcel contains 12.86 Acres.

The bearings of this description are based on NAD83, Kentucky State Plane Coordinate System, North Zone.

PARCEL TO BE ZONED  
4820 ALEXANDRIA PIKE

Lying in Campbell County, Kentucky, being part of the property conveyed to KPR Development Group, LLC (D.B. 365, PG. 141), more particularly described as follows:

Commencing at a point along the south boundary line of land conveyed to St. Luke Lutheran Church Inc. (D.B. 708, PG. 301), at the northwest corner of Lot 81 of Sturbridge Subdivision (Section 5 Plat E-36A) and the northeast corner of Lot 72 of Sturbridge Subdivision (Section 4 Plat E-30A);

Thence along the common line of said St. Luke and Sturbridge Subdivision Section 4 North 75°50'21" West 158.15 feet to a corner of said KPR Development Group, LLC;

Thence along the common line of said St. Luke and KPR Development North 82°07'11" West 107.63 feet to the POINT OF BEGINNING of this description;

Thence leaving said common line and through the lands of KPR Development North 74°23'53" West 352.30 feet to a point in the east boundary line of Springside Council of Co-owners;

Thence along the common line of said KPR Development and Springside the following eight (8) calls;

North 10°00'02" East 156.55 feet to a point;

North 10°08'52" East 70.12 feet to a point;

North 85°54'52" East 102.02 feet to a point;

North 02°15'43" East 95.00 feet to a point;

North 10°37'17" West 209.00 feet to a point;

North 21°57'17" West 158.38 feet to a point;

North 53°16'40" East 215.41 feet to a point;

North 20°53'43" East 35.00 feet to a point at the common corner of said Springside and MBCC Property Management, LLC (D.B. 365, PG. 240);

Thence along the common line of said KPR Development and MBCC South 51°50'08" East 464.38 feet to a point in the north boundary line of said St. Luke property;

Thence along the common line of said KPR Development and St. Luke the following six (6) calls;

South 61°44'30" West 96.77 feet to a point;

South 39°56'15" West 189.77 feet to a point;

South 66°36'39" West 118.70 feet to a point;

South 00°44'33" West 232.15 feet to a point;

South 21°16'32" East 18.02 feet to a point;

South 18°45'46" East 168.60 feet to the POINT OF BEGINNING;

Said herein parcel contains 5.72 Acres.

The bearings of this description are based on NAD83, Kentucky State Plane Coordinate System, North Zone.