

MEETING MINUTES OF THE ELSMERE CITY COUNCIL

April 14, 2015

6:30 PM

LOCATION: Elsmere City Building, 318 Garvey Avenue, Elsmere, KY 41018.

CALL TO ORDER: Mayor Lenhof called the meeting to order at 6:32 p.m.

INVOCATION AND PLEDGE: The invocation was given by Councilman Billy Bradford, followed by the Pledge of Allegiance.

ROLL CALL: The following members were present: Mayor Marty Lenhof, Councilwoman Joanne Barnett-Smith, Councilwoman Nancy Bowman, Councilman Billy Bradford, Councilwoman Gloria Grubbs, and Councilwoman Alexis Tanner. Councilwoman Mary Lou Neal was absent.

APPROVAL OF MINUTES:

Councilwoman Bowman made a motion to approve the minutes of the March 10, 2015 Regular Meeting. Councilwoman Grubbs seconded the motion. All members present voted aye. **Motion carried and so ordered.**

Councilwoman Tanner made a motion to approve the minutes of the April 7, 2015 Special Meeting. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Motion carried and so ordered.**

Councilwoman Bowman made a motion to approve the minutes of the April 7, 2015 Caucus Meeting. Councilwoman Tanner seconded the motion. All members present voted aye. **Motion carried and so ordered.**

GENERAL ITEMS:

Executive Order 9-2015 – Introduction and Appointment of John Overbey as Police Officer

Mayor Lenhof summarized Executive Order 9-2015 appointing John Overbey as Police Officer. Mr. Overbey was introduced to City Council and will report to the Kentucky Police Academy on April 19, 2015.

2015 General Assembly Update – Sen. Chris McDaniel

Senator Chris McDaniel provided a legislative update to Council regarding bills enacted by the General Assembly during its most recent session.

ADMINISTRATIVE REPORTS:

Building Inspector Bill Stith reported there were seven building and zoning permits issued for the month of March which included two HVAC units, two fences, a driveway, a change in use in the Industrial Park and a retaining wall.

City Engineer Ray Erpenbeck reported the Merravay pre-construction meeting will be held on April 29 and construction should start sometime in May and completed at the end of September. Mr. Erpenbeck also submitted a written report to Council.

City Clerk Jessica Chaney reported a Code Enforcement Board meeting was conducted on March 18 with several properties receiving fines based on their violations. Ms. Chaney also reported the spring newsletter was mailed to residents at the end of March and she has been planning the business appreciation luncheon. Ms. Chaney also read a Proclamation commemorating the 45th anniversary of Earth Day.

Code Enf. Officer & Zoning Administrator Rich Aliff submitted a written report to Council. Rob Himes with Planning Development Services of Kenton County also submitted a written report to Council.

Parks and Recreation Director Denise Donahue reported on the upcoming May park events and that Public Works are working to get the parks cleaned and items painted. Ms. Donahue reported a copy of the summer parks program was included in the spring newsletter and also can be found on the city's website. Discussion occurred regarding the success of the March Easter Egg Hunt.

City Attorney Tom Miller reported a motion was filed to seek relief from 428 Buckner and an order was received in the city's favor allowing demolition of the property. Mr. Miller also reported the needed documents have been signed to begin acquisition of the property located at 315-319 Garvey Ave. and that he is in the process of completing a title examination and does not anticipate any delays in closing. Mr. Miller reported he has also been working on various code enforcement efforts.

Police Chief Tim Thames summarized the items in his written report to Council. Chief Thames reported John Overbey will be sworn in on April 17 to fill a vacancy in the Police Department and that they are in phase II of the second candidate's background investigation to fill Detective McCarthy's retirement vacancy. Chief Thames also commended the work of Sgt. Cummins in assisting a homeless veteran and highlighted an article that was in the Kentucky Enquirer commending his efforts of reuniting veteran with his family. Chief Thames also reported the article may be in the summer edition of the criminal justice magazine. Chief Thames also extended an invitation to Erlanger's Police Chief Arens retirement party. Councilwoman Grubbs highlighted the efforts of Elsmere's police officers going above and beyond their normal role and thanked them for their service. Chief Thames also commended Officer Panko in his efforts in helping a young man find a bike and clothes this afternoon.

Public Works Director Chris Zerhusen summarized items in his written report to Council. Mr. Zerhusen reported Public Works has started their spring maintenance items. Mr. Zerhusen also reported a part-time seasonal laborer was hired and a conditional job offer was offered to fill the vacancy of the laborer position.

Finance Officer/Treasurer submitted a quarterly written report to Council. Ms. Lucius reported income adjustments will occur at the end of the year and expenditures are below normal as well. Ms. Lucius also reported based on the accrual method of accounting everything will be caught up by the end of the fiscal year.

Councilwoman Tanner made a motion to approve the Administrative Reports. Councilman Bradford seconded the motion. All members present voted aye. **Motion carried and so ordered.**

COUNCIL LIAISON REPORTS:

Administrative Liaisons Gloria Grubbs and Nancy Bowman had no report.

Adopt-A-Troop Liaison Joanne Barnett-Smith reported she is working to get the word out about our recent troop adoption.

Economic Development Liaisons Billy Bradford and Alexis Tanner had no report.

Code Enforcement Liaison Mary Lou Neal was absent. City Administrator Alex Mattingly reported the code enforcement board is meeting regularly and are seeing results.

Parks and Recreation Liaisons Mary Lou Neal and Joanne Barnett-Smith had no report. Councilwoman Neal was absent.

Streets Liaisons Alexis Tanner and Gloria Grubbs had no report.

Transportation Liaisons Joanne Barnett-Smith and Billy Bradford had no report.

Scholarship Gloria Grubbs and Nancy Bowman Councilwoman Grubbs reported the scholarship deadline is April 30. City Clerk Jessica Chaney reported she sent information to all high school guidance counselors encouraging students to apply and placed information in the spring newsletter. Ms. Chaney also reported the city currently has received four scholarships applications.

City Administrator's Report T. Alex Mattingly reported there was an issue with waste collection pickup on Monday due to Rumpke reporting there was a large influx of trash in Northern Kentucky communities which caused a delay in pickup. Mr. Mattingly instructed residents to leave out their trash containers for Rumpke to

pickup which can occur as late as Wednesday morning. Mr. Mattingly reported the Garvey Avenue bridge replacement has been delayed indefinitely by Northfolk Southern and will continue to be in communication about the bridge's future. Mr. Mattingly also reported they received the order from the judge lifting the injunction and will get bids for the demolition of 428 Buckner. Mr. Mattingly also reported they have been working on the preliminary budget and are waiting for health insurance and liability insurance numbers before it is submitted to Council.

Mayor's Report Mayor Marty Lenhof read a letter of commendation he received from City Administrator Alex Mattingly commending the efforts of Officer Rau Ernst, Officer Byrd, Officer Panko and Chief Thames in assisting a disabled resident on Autumn Road by shoveling and salting her driveway and finding a private company to plow her driveway. Mayor Lenhof also reported a final TANK meeting was held to discuss the ridership update of the #10 bus route. Mayor Lenhof reported the bus route will be coming to an end and the bus driver will be communicating this information to riders over the next two weeks. Discussion occurred regarding ridership and the cost of route.

GENERAL ITEMS CONT.:

Executive Order 10-2015 – Appointment of Samuel Elsbernd as Seasonal Laborer

Mayor Lenhof summarized Executive Order 10-2015 appointing Samuel Elsbernd as Seasonal Laborer.

Order/Resolution 11-2015 – Extending Temporary, Part-Time Employee Karen Linn

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Grubbs made a motion to accept Order/Resolution 11-2015 as read. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Order/Resolution 12-2015 – Declaring Surplus Property

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Tanner made a motion to accept Order/Resolution 12-2015 as read. Councilwoman Bowman seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Order/Resolution 13-2015 – Adopting Kenton County Emergency Management Plan

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Tanner made a motion to accept Order/Resolution 13-2015 as read. Councilwoman Grubbs seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Order/Resolution 14-2015 – Adopting Policies and Procedures - HB5

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Tanner made a motion to accept Order/Resolution 14-2015 as read. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Order/Resolution 15-2015 – Interlocal Agreement with PDSKC (Commercial Inspection Services)

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Grubbs made a motion to accept Order/Resolution 15-2015 as read. Councilwoman Tanner seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Order/Resolution 16-2015 – Authorizing a Text Amendment for the NC Zone

City Clerk Jessica Chaney read by title the Order/Resolution. Councilwoman Tanner made a motion to accept Order/Resolution 16-2015 as read. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1695-2015 – Budget Amendment FY 2014-2015

City Attorney Tom Miller performed a reading in its entirety for the Second Reading of Ordinance 1695-2015.

**AN ORDINANCE AMENDING THE CITY OF ELSMERE, KENTUCKY
BUDGET ORDINANCE NUMBER 1679-2014 FOR THE FISCAL YEAR
JULY 1, 2014 THROUGH JUNE 30, 2015.**

Councilwoman Tanner made a motion to accept Ordinance 1695-2015 as read. Councilwoman Barnett-Smith seconded the motion. Mayor Lenhof requested a Roll Call vote. Roll Call: Councilwoman Tanner – aye; Councilwoman Barnett-Smith – aye; Councilwoman Bowman – aye; Councilman Bradford – aye; Councilwoman Grubbs – aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1696-2015 – Mubea Economic Development Incentive Ordinance

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1696-2015.

**AN ORDINANCE OF THE CITY OF ELSMERE, KENTUCKY, PROVIDING FOR A
CREDIT OF ITS OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART
OF AN ECONOMIC DEVELOPMENT PROJECT BY MUBEA, INC. UNDER THE
KENTUCKY BUSINESS INVESTMENT PROGRAM (KRS 154.32-010–KRS 154.32-100).**

Councilwoman Bowman made a motion to accept Ordinance 1696-2015 as read. Councilwoman Bowman seconded the motion. Mayor Lenhof requested a Roll Call vote. Roll Call: Councilwoman Grubbs – aye; Councilman Bradford – aye; Councilwoman Bowman – aye; Councilwoman Barnett-Smith – aye; Councilwoman Tanner – aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1697-2015 – Regulating Basketball Goals in Right Of Way

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1697-2015.

**AN ORDINANCE AMENDING § 130.03 OF THE ELSMERE CODE OF
ORDINANCES, ENTITLED “TRESPASSING OR ENCROACHING ON
EASEMENT OR RIGHT-OF-WAY” TO INCLUDE REGULATIONS
PERTAINING TO BASKETBALL GOALS AND UPDATING THE
CORRESPONDING PENALTY.**

Ordinance 1698-2015 – Amending Building Permit Fees

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1698-2015.

**AN ORDINANCE AMENDING §§ 150.07 OF THE ELSMERE CODE OF
ORDINANCES TO ADJUST THE SCHEDULE OF BUILDING PERMIT FEES.**

Ordinance 1699-2015 - Text Amendment - Dog Boarding as Conditional Use and Outside Storage IP-1 zone

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1699-2015.

**AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE
KENTON COUNTY PLANNING COMMISSION TO AMEND THE TEXT
OF THE OFFICIAL CITY OF ELSMERE ZONING ORDINANCE TO
ALLOW OUTSIDE STORAGE AND DOG BOARDING, KENNELS, AND
PET HOTELS IN THE IP-1 ZONE.**

REPORTS FROM COUNCIL:

Councilwoman Bowman had no report.

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Councilwoman Tanner had no report.

Councilman Bradford had no report.

Councilwoman Barnett-Smith reported a lot of properties did their spring cleaning causing the large volume of trash for Rumpke and a lot has been donated to St. Vincent DePaul and Goodwill. Also, Council Member Barnett-Smith reminded residents to watch out for kids playing outside and in the streets.

Councilwoman Neal was absent.

Councilwoman Grubbs had no report.

EXECUTIVE/CLOSED SESSION

Councilwoman Grubbs made a motion to enter executive/closed session under KRS 61.810(1)(c) - Discussions pertaining to proposed or pending litigation. Councilman Bradford seconded the motion. All members present voted aye. Council entered executive/closed session at 7:41 p.m.

Councilwoman Bowman made a motion to exit executive/closed session and reconvene the regular session. Councilman Bradford seconded the motion. All members present voted aye. Council exited executive/closed session at 7:54 p.m. No action taken.

ADJOURNMENT

Councilwoman Tanner made a motion to adjourn. Councilwoman Grubbs seconded the motion. All members present voted aye. **Motion carried and so ordered.** Meeting adjourned at 7:55 p.m.

Attest:



Jessica Chaney, City Clerk



Mayor Marty Lenhof