

REGULAR MEETING MINUTES OF THE ELSMERE CITY COUNCIL
September 10, 2013
6:30PM

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

CALL TO ORDER: Mayor Lenhof called the meeting to order at 6:35 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
Councilman Tim Greene
Councilwoman Gloria Grubbs
Councilwoman Mary Lou Neal

APPROVAL OF MINUTES:

Councilwoman Mary Lou Neal made a motion to approve the minutes of the August 13, 2013 Council Meeting with the corrections. Councilwoman Nancy Bowman seconded the motion. All members present voted aye. **Motion carried and so ordered.**

Councilman Tim Greene made a motion to approve the minutes of the September 3, 2013 Special Meeting. Councilwoman Gloria Grubbs seconded the motion. All members present voted aye. **Motion carried and so ordered.**

AUDIENCE REMARKS: none.

ADMINISTRATIVE REPORTS:

Building Inspector Bill Stith reported for the month of August there were 12 zoning and building permits with \$137,788.00 in total construction costs, \$885.00 in building fees, and \$510.00 in zoning fees. They had three decks, two fences, a patio, HVAC repair and a new four unit apartment building.

City Engineer Ray Erpenbeck submitted a written report to council. Reported the project on Garvey Ave. is going well. Mr. Erpenbeck reports that the road contractor will be working on Swan Circle on Thursday tearing out pavement. He hopes to have the sidewalks in Turkeyfoot Acres completed by the end of the month.

City Clerk Jessica Chaney reported the surplus property is to be sold by electronic auction through GovDeals.com. The online auction is set to begin on Sept. 18th lasting for seven calendar days. Items that may interest citizens include: 1990 GMC bucket truck, 1994 John Deere Backhoe, 2003 Ford Crown Vic., several bicycles and various office equipment and supplies.

Code Enf. Officer & Zoning Administrator Rich Aliff was not present but submitted a written report to council. Councilwoman Neal added Mr. Aliff is doing a good job.

Parks and Recreation Director Denise Donahue was absent. Alex Mattingly provided brief summary from Ms. Donahue. Mr. Mattingly reported due to rain attendance was slightly lower for the magic show. On Thursday, Sun Rock Farm will be at Covered Bridge Park and the last movie night will be on Sept. 20 at Woodside Park showing Hotel Transylvania. The Halloween party will be held on October 26th from 6:30 p.m. to 8:00 p.m. at the Senior Center. Reported Ms. Donahue wanted to thank everyone with the baseball program for keeping the park and fields clean.

City Attorney Tom Miller reported the final round of demand letters went out in regular mail and certified mail to properties with delinquent property taxes. Approximately 50 letters were mailed. Reported there have been several responses and payments. Approximately ten letters were unclaimed through certified mail but no letters that were mailed in regular mail have been returned. The next step will be for the Mayor and Council to file suit against the property on delinquency and foreclosure on the tax lien. Mr. Miller reported that he has received a request to process a foreclosure for code enforcement liens.

Police Chief Thames submitted a written report to council. Reported Margaret Rau to graduate Friday from the Academy and reports to work on Saturday. Sgt. Cummins and Mayor are joining him in attendance to her graduation in Richmond, extended the offer to attend to council members. Metzger is in his ninth week at the Academy and is set to graduate on Nov. 8th. The police department participated in lockdown drills at St. Henry and Howell Elementary to test the school's emergency plans. These plans must be tested within the first thirty days of the start of school. Chief commended both of the school districts in their efforts. Reported the first new police cruiser will be outfitted with equipment tomorrow and the second cruiser should be delivered within a few weeks. He also reported the Kenton County SWAT team participated in an annual competition. Officer Panko finished second overall in his individual phase of competition and the team finished second overall. They competed against several large organizations that have members that are assigned to SWAT on a full-time basis; while most members of the Kenton County SWAT team are assigned on a part-time basis.

Public Works Director Chris Zerhusen submitted a written report for the month of July and August. Reported street work should be completed by winter. Mr. Zerhusen reported that Public Works crews have been fixing potholes on Merravay, doing concrete repairs on Pebble Creek, and completing blacktop repairs on Garvey.

Councilwoman Grubbs 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 reported they had a work session on item# 12 on the agenda.

Streets Liaison Tim Greene reported the curb work on Garvey Ave. looks good. He questioned when the work was going to be completed. City Engineer, Ray Erpenbeck, reported completion should be at the end of October. Councilman Greene reported he drove around to the areas of recent street work; reporting the completed work looks nice.

Economic Development Liaison Billy Bradford reported they are getting positive responses in regards to the List property. Alex Mattingly added they are making progress and the List family is open to selling their property.

Adopt-A-Troop Liaison Joanne Barnett-Smith reported they are waiting on pins and needles to hear news from the President regarding troop deployment and some will be getting ready to move out.

Parks and Recreation Liaison Mary Lou Neal reported everything is looking good and was wondering if there is any way to recoup equipment from the damaged dome at Covered Bridge Park.

Code Enforcement Liaison Neal reported Rich is doing a fantastic job in keeping the city clean.

City Administrator T. Alex Mattingly clarified that residents within Turkeyfoot Acres are not required to have a tree; it is their option. If a resident would like a tree they need to complete the application. The finalized list of trees should not pose any issues with future damage to sidewalks or block sightlines. The applications and letters will be sent out to residents by the end of the week or the first part of next week.

Mayor Marty Lenhof reported that the August 17th Mayor's meeting was held at the Senior Center which he received compliments from other city officials about the building and the center. He also reported Ms. Burkhardt

would like to know if any council members would like to attend the Howell Elementary reception being held on Sept. 17th from 6:00 p.m. to 7:00 p.m. and to let him know if they would like to attend.

Executive Order 14-2013 – Appointing City Accountant

Alex Mattingly summarized this Executive Order.

Order/Resolution 19-2013 – Amended Turkeyfoot Acres Tree Program Guidelines

City Clerk Jessica Chaney read this order/resolution by title.

Councilman Bradford made a motion to accept Order/Resolution 19-2013 as read. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Vote 6-0. Motion carried and so ordered.**

Order/Resolution 20-2013 – Accepting Donation of 508 Spring St.

City Clerk Jessica Chaney read this order/resolution by title.

Councilwoman Barnett-Smith made a motion to accept Order/Resolution 20-2013 as read. Councilwoman Grubbs seconded the motion. All members present voted aye. **Vote 6-0. Motion carried and so ordered.**

Order/Resolution 21-2013 – Accepting Donation of Signage – Garvey and Ash Businesses

City Clerk Jessica Chaney read this order/resolution by title.

Councilwoman Grubbs made motion to accept Order/Resolution 21-2013 as read. Councilwoman Neal seconded the motion. All members present voted aye. **Vote 6-0. Motion carried and so ordered.**

Ordinance 1665-2013 – Accepting the Goals and Objectives for County Comprehensive Plan

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1665-2013.

AN ORDINANCE ADOPTING THE PROPOSED STATEMENT OF GOALS AND OBJECTIVES FOR A NEW KENTON COUNTY COMPREHENSIVE PLAN.

Councilwoman Grubbs made a motion to accept Ordinance 1665-2013 as read. Councilwoman Bowman seconded the motion. Roll Call – Councilwoman Bowman – aye; Councilman Bradford – aye; Councilman Greene – aye; Councilwoman Grubbs – aye; Councilwoman Neal – aye; Councilwoman Barnett-Smith – aye. **Vote of 6-0. Motion carried and so ordered.**

Ordinance 1666-2013 – Tax Rate Ordinance

City Attorney Tom Miller performed the Second Reading of Ordinance 1666-2013 in its entirety.

AN ORDINANCE OF THE CITY OF ELSMERE IN KENTON COUNTY, KENTUCKY, PROVIDING FOR ASSESSMENT OF ALL REAL ESTATE AND PERSONAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ELSMERE THAT IS SUBJECT TO TAXATION FOR CITY PURPOSES BY THE USE OF THE ANNUAL COUNTY ASSESSMENT THEREOF BY THE PROPERTY VALUATION ADMINISTRATOR OF KENTON COUNTY; AND, LEVYING AN AD VALOREM TAX THEREON FOR THE CITY'S PURPOSES DURING THE FISCAL YEAR WHICH BEGINS JULY 1, 2013 AT THE RATE OF \$.223 DOLLARS FOR EACH ONE HUNDRED SO ASSESSED OF REAL PROPERTY AND AT THE RATE OF \$.169 DOLLARS FOR EACH ONE HUNDRED SO ASSESSED OF PERSONAL PROPERTY; AND PROVIDING FOR PAYMENT AND COLLECTION OF SUCH TAXES AND PENALTIES AND INTEREST THEREON; AND DESCRIBING THE PURPOSES FOR WHICH SUCH TAXES SO COLLECTED SHALL BE APPROPRIATED AND USED.

Councilman Greene made a motion to accept Ordinance 1666-2013 as read. Councilwoman Barnett-Smith seconded the motion. Roll Call – Councilman Bradford – aye; Councilman Greene – aye; Councilwoman Grubbs – nay; Councilwoman Neal – aye; Councilwoman Barnett-Smith – aye; Councilwoman Bowman – aye. **Vote of 5-1. Motion carried and so ordered.**

Ordinance 1667-2013 – Budget Amendment 2012-2013

City Attorney Tom Miller performed the Second Reading of Ordinance 1667-2013 in its entirety.

**AN ORDINANCE AMENDING THE CITY OF ELSMERE, KENTUCKY BUDGET
ORDINANCE NUMBER 1662-2013 FOR THE FISCAL YEAR JULY 1, 2012
THROUGH JUNE 30, 2013.**

Councilwoman Grubbs made a motion to accept Ordinance 1667-2013 as read. Councilwoman Neal seconded the motion. Roll Call – Councilman Greene – aye; Councilwoman Grubbs – aye; Councilwoman Neal – aye; Councilwoman Barnett-Smith – aye; Councilwoman Bowman – aye; Councilman Bradford – aye. **Vote of 6-0. Motion carried and so ordered.**

Ordinance 1668-2013 – Budget Amendment 2013-2014

City Attorney Tom Miller performed the Second Reading of Ordinance 1668-2013 in its entirety.

**AN ORDINANCE AMENDING THE CITY OF ELSMERE, KENTUCKY BUDGET
ORDINANCE NUMBER 1660-2013 FOR THE FISCAL YEAR JULY 1, 2013
THROUGH JUNE 30, 2014.**

Councilwoman Bowman made a motion to accept Ordinance 1668-2013 as read. Councilwoman Barnett-Smith seconded the motion. Roll Call – Councilwoman Grubbs – aye; Councilwoman Neal – aye; Councilwoman Barnett-Smith – aye; Councilwoman Bowman – aye; Councilman Bradford – aye; Councilman Greene – aye. **Vote of 6-0. Motion carried and so ordered.**

Ordinance 1669-2013 – Amending Tree Protection Regulations

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1669-2013.

**AN ORDINANCE AMENDING CHAPTER 95, “TREE PROTECTION,” TO UPDATE
REGULATIONS AND PENALTIES.**

Councilwoman Bowman made a motion to accept Ordinance 1669-2013 as read. Councilwoman Grubbs seconded the motion. Roll Call – Councilwoman Neal – aye; Councilwoman Barnett-Smith – aye; Councilwoman Bowman – aye; Councilman Bradford – aye; Councilman Greene – aye; Councilwoman Grubbs – aye. **Vote of 6-0. Motion carried and so ordered.**

Ordinance 1670-2013 – Amending Liquor License Schedule to Comply with Senate Bill 13

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1670-2013.

**AN ORDINANCE AMENDING SECTION 111.20, ET SEQ. OF THE ELSMERE CODE OF
ORDINANCES AS IT RELATES TO LICENSE FEES FOR TRAFFICKING IN
ALCOHOLIC BEVERAGES.**

Ordinance 1671-2013 – Amending Building and Zoning Fees

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1671-2013.

**AN ORDINANCE AMENDING §§ 150.07 AND 154.02 OF THE CODE OF
ORDINANCES TO ADJUST THE SCHEDULE OF BUILDING PERMIT AND ZONING
FEES.**

Ordinance 1672-2013 – Amending Chapter 11 Personnel Policies

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1672-2013.

**AN ORDINANCE AMENDING CHAPTER 11 OF THE CITY OF ELSMERE
PERSONNEL POLICIES RELATED TO TRAINING AND TUITION
REIMBURSEMENT.**

REPORTS FROM COUNCIL

Councilwoman Barnett-Smith reported during the months of school speeders need to slow down and keep their eyes open; we want to keep our kids safe. She also reported to keep the armed forces in their prayers.

Councilwoman Bowman reported in review of the building and zoning ordinance had a question about the building permit summary and above ground pools. Mr. Mattingly reported that above ground pools need a zoning permit, but not a building permit.

Councilman Bradford commends members of the church in assisting neighbors in getting their yard mowed. They have gone out of their way to do things.

Councilman Greene had no report.

Councilwoman Grubbs had no report.

Councilwoman Neal had no report.

ADJOURNMENT

Councilwoman Grubbs made a motion to adjourn. Councilman Greene seconded the motion. All members present voted aye. **Motion carried and so ordered.** Meeting adjourned at 7:25 pm.

Mayor Marty Lenhof

Attest:

Jessica Chaney, City Clerk