

MEETING MINUTES OF THE ELSMERE CITY COUNCIL

December 9, 2014

6:30 PM

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

CALL TO ORDER: Mayor Lenhof called the meeting to order at 6:35 p.m.

INVOCATION AND PLEDGE: The invocation was given by Councilwoman Mary Lou Neal, 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 Mary Lou Neal

Councilwoman Gloria Grubbs was absent.

APPROVAL OF MINUTES:

Councilman Greene made a motion to approve the minutes of the November 18, 2014 Special Meeting. Councilwoman Neal seconded the motion. All members present voted aye. **Motion carried and so ordered.**

GENERAL ITEMS:

D.A.R.E. Essay Presentations

Sgt. Cummins reported students must write an essay in order to graduate from the D.A.R.E. program. Sgt. Cummins reported he invited the top six students to present their essays to Council. Sgt. Cummins introduced the five fifth grade students who were present from Arnett Elementary, Miles Elementary and Howell Elementary. Each student read their essay to Council.

Audit Presentation

John Chamberlin from Van Gorder Walker & Co. presented the 2013-2014 Audit Report to Council.

AUDIENCE REMARKS:

Serena Owen – Resident of Henry Street – congratulated the students from the D.A.R.E. program, reminded residents of the TANK bus program, and reported her interest in serving on a City or County board. Ms. Owen also voiced her concerns of her name and address being published in the meeting minutes and inquired if there was a law that requires residents to state their name and address at the Council Meetings. City Administrator Alex Mattingly reported KRS statutes requires the City to take accurate actions and minutes of the Council Meetings. Mr. Mattingly reported that Elsmere, along with most other Kentucky cities, have an informal policy to include residents' names and addresses for meeting minutes and there is no ordinance requiring residents to make public comments during Council meetings. Mr. Mattingly reported the City has required this for many years. Mayor Lenhof reported he will have the City Attorney look into this matter.

ADMINISTRATIVE REPORTS:

Building Inspector Bill Stith reported for the month of December there were eleven building and zoning permits issued with \$31,690.00 in total construction costs, \$510.00 in building fees, and \$240.00 in zoning fees. Mr. Stith also reported the permits included two certificate of occupancies for the Bluegrass Estates Mobile Home Park, two sheds, four HVAC's and others.

City Engineer Ray Erpenbeck reported the sidewalk beautification extension in front of St. Henry was completed in a two week period and a walk-through will be completed later in the week. Mr. Erpenbeck also reported the Merravay Drive Project will be sent out to bid in January. Mr. Erpenbeck also submitted a written report to Council.

City Clerk Jessica Chaney reminded residents of the deadline to pay property tax bills, reported she mailed letters to property owners who have not been paying Rumpke for waste collection and notifying property owners who are to appear before the Code Enforcement Board. Ms. Chaney also reported she has been planning the inauguration and employee luncheon.

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

Parks and Recreation Director Denise Donahue reported there will be carriage rides, games, gifts from Santa, family portraits and snacks at the December 14 Christmas Party. Ms. Donahue also reminded residents of the deadline to register their children for the party.

City Attorney Tom Miller reported he has been working on various foreclosures and preparing for the upcoming Code Enforcement Board meeting.

Police Chief Tim Thames reported Officer Ritchie is in his sixth week of field training and Officer Day graduated from the Police Academy on December 5. Chief Thames reported on several community events that the Elsmere Police Department participated in which includes Officer Rau attending the VFW chili cook-off and the annual canned food drive with the Erlanger Police Department. Chief Thames also invited Council to attend the annual Cops and Kids Program on December 22 and reported on the status of the two new police cruisers. Chief Thames also submitted a written report to Council.

Public Works Director Chris Zerhusen reported that phase III of the street sign replacement project is almost complete and that the street sweeper should be back tomorrow due to further minor repair issues. Mr. Zerhusen reported the Public Works Department will continue street sweeping as weather permits. Mr. Zerhusen also submitted a written report to Council.

Councilwoman Neal made a motion to approve the Administrative Reports. Councilwoman Barnett-Smith seconded the motion. All members present voted aye. **Motion carried and so ordered.**

COUNCIL LIAISON REPORTS:

Administrative Liaisons Gloria Grubbs and Nancy Bowman Councilwoman Bowman reported they will be planning a meeting after the first of the year to discuss items of attention.

Adopt-A-Troop Liaison Joanne Barnett-Smith thanked Council for approving the USO care packages.

Economic Development Liaison Billy Bradford had no report.

Code Enforcement Liaison Mary Lou Neal had no report.

Parks and Recreation Liaison Mary Lou Neal encouraged residents to attend the City Christmas Party.

Streets Liaison Tim Greene reported projects are wrapping up for the year and Mr. Erpenbeck covered the items in his report.

Transportation Liaison Joanne Barnett-Smith reported she plans to ride the TANK bus on January 5. Councilwoman Barnett-Smith discussed the fares and encouraged residents to support the bus route.

Lights Up Liaison Joanne Barnett-Smith reported the judging for the Lights Up contest will be held on December 12 and December 13. Councilwoman Barnett-Smith reminded residents who are interested in participating to leave their lights on until 11:00 p.m. and first, second and third place prizes are awarded in the five sections of the City.

City Administrator's Report T. Alex Mattingly reminded Council of the inauguration and the employee luncheon scheduled for December. Mr. Mattingly reported the TANK bus pilot program begins on January 5 and that the City is working with TANK to promote the bus route. Mr. Mattingly also reported that the Code Enforcement Board will be meeting on December 16 to address properties and pursue fines on several properties. Mr. Mattingly also reiterated that other cities list addresses and names in meeting minutes and it is not meant to embarrass or jeopardize security of residents and the City uses this information to ensure accurate minutes and to have record of issues, complaints, and suggestions. Mr. Mattingly added property owner information is public record and it is not a requirement for residents to attend or make public comments at City Council Meetings. Discussion occurred regarding residents making public comments in Council Meetings.

Mayor's Annual report Mayor Marty Lenhof provided an annual report highlighting the City's accomplishments for the 2014 calendar year, including in the Police Department, Public Works and General Government areas.

GENERAL ITEMS CONT.:

Executive Order 9-2014 – Temporary Employee – Karen Linn

Mayor Lenhof summarized Executive Order 9-2014 appointing Karen Linn as a temporary employee for up to 30 days (as needed).

Order/Resolution 28-2014 – Authorizing PD Crown Victoria Surplus and Donating to Jackson Co. S.O.

City Clerk Jessica Chaney read by title the Order/Resolution.

Councilwoman Bowman made a motion to accept Order/Resolution 28-2014 as read. Councilwoman Neal seconded the motion. All members present voted aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1686-2014 – Amending Personnel Policies – Compensatory Time and Tuition Reimbursement

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1686-2014.

**AN ORDINANCE AMENDING CHAPTERS 3 AND 11 OF THE CITY OF
ELSMERE PERSONNEL POLICIES RELATED TO COMPENSATORY TIME
AND TUITION REIMBURSEMENT.**

Councilwoman Neal made a motion to accept Ordinance 1686-2014 as read. Councilman Bradford seconded the motion. Mayor Lenhof requested a Roll Call vote. Roll Call – Councilwoman Barnett-Smith – aye, Councilwoman Bowman – aye, Councilman Bradford – aye, Councilman Greene – aye, Councilwoman Neal – aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1687-2014 – Amending Nuisance Ordinance – Expanding Definition of Criminal Activity

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1687-2014.

**AN ORDINANCE AMENDING § 94.10 OF THE CITY OF ELSMERE, KENTUCKY
CODE OF ORDINANCES TO EXPAND THE DEFINITION OF CRIMINAL ACTIVITY
AS A PUBLIC NUISANCE TO INCLUDE ADDITIONAL CRIMES.**

Councilwoman Bowman made a motion to accept Ordinance 1687-2014 as read. Councilman Greene seconded the motion. Mayor Lenhof requested a Roll Call vote. Roll Call – Councilwoman Bowman aye, Councilman Bradford – aye, Councilman Greene – aye, Councilwoman Neal – aye, Councilwoman Barnett-Smith – aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1688-2014 – Amending Snow Emergency Routes

City Attorney Tom Miller performed a summary reading for the Second Reading of Ordinance 1688-2014.

AN ORDINANCE AMENDING CITY PARKING REGULATIONS IN SCHEDULE III OF THE PARKING SCHEDULE AS SET FORTH IN CHAPTER 76 OF THE CITY OF ELSMERE, KENTUCKY CODE OF ORDINANCES.

Councilwoman Barnett-Smith made a motion to accept Ordinance 1688-2014 as read. Councilman Bradford seconded the motion. Mayor Lenhof requested a Roll Call vote. Roll Call – Councilman Greene – aye, Councilwoman Neal – aye, Councilwoman Barnett-Smith – aye, Councilwoman Bowman – aye, Councilman Bradford – aye. **Vote: 5-0. Motion carried and so ordered.**

Ordinance 1689-2014 – Adopting S-20 Code of Ordinances Supplement

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1689-2014.

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF ELSMERE, KENTUCKY.

Ordinance 1690-2014 – Amending Nuisance Ordinance - Clarifying Certain Items and Fines

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1690-2014.

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 94, “NUISANCES,” OF THE CITY OF ELSMERE, KENTUCKY CODE OF ORDINANCES TO ADD ADDITIONAL ACTIONS CONSTITUTING PUBLIC NUISANCES AND CLARIFY VARIOUS REGULATIONS.

Ordinance 1691-2014 – Text Amendment - Changes to Zoning Ord. Related to Comprehensive Plan and PDS Name Change

City Attorney Tom Miller performed a summary reading for the First Reading of Ordinance 1691-2014.

AN ORDINANCE ADOPTING THE APPLICABLE RECOMMENDATION OF THE KENTON COUNTY PLANNING COMMISSION AND AMENDING VARIOUS SECTIONS OF THE TEXT OF THE OFFICIAL CITY OF ELSMERE ZONING ORDINANCE TO REFLECT THE NAME CHANGE OF PLANNING AND DEVELOPMENT SERVICES OF KENTON COUNTY AND CHANGES NECESSITATED BY THE RECENTLY ADOPTED KENTON COUNTY COMPREHENSIVE PLAN.

REPORTS FROM COUNCIL:

Councilwoman Gloria Grubbs was absent.

Councilwoman Mary Lou Neal questioned if the No Turn on Red sign can be moved at the intersection of Dixie Highway and Garvey Avenue or if there is a way to make the sign more visible. Councilwoman Neal reported she has noticed people continue to turn right at this intersection. Mr. Mattingly reported the City will ask the Kentucky Transportation Cabinet to address this issue. Councilwoman Neal also wished residents a happy and safe Christmas.

Councilwoman Joanne Barnett-Smith reported school is out on December 19 and reminded residents of the Lights Up contest. Councilwoman Barnett-Smith also wished residents a Merry Christmas.

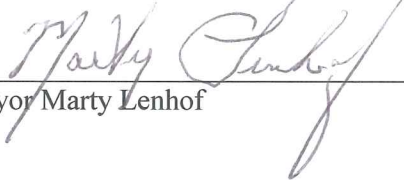
Councilman Bradford wished everyone a Merry Christmas.

Councilman Greene discussed the issues of the Dixie Highway and Garvey Avenue intersection. Councilman Greene wished everyone a Merry Christmas and thanked everyone for the experience during his tenure on Council.

Councilwoman Bowman wished citizens a Happy Holiday season and reported on how well the Council has worked together the past two years and that it was a pleasure working with Councilman Greene.

ADJOURNMENT

Councilwoman Bowman made a motion to adjourn. Councilwoman Neal seconded the motion. All members present voted aye. **Motion carried and so ordered.** Meeting adjourned at 8:14 p.m.



Mayor Marty Lenhof

Attest:



Jessica Chaney, City Clerk