

**City of Crescent Springs
Regular Council Meeting Minutes
December 8, 2008
7:00 P.M.**

Those attending this meeting included the following:

Jim Collett, Mayor
Mike Daugherty, Council Member
Scott Santangelo, Council Member
Matt Zeck, Council Member
Sue Hill, City Clerk

Christie Arlinghaus, Council Member
Dale Ramsey, Council Member
Tom Vergamini, Council Member
Joe Baker, City Attorney
George Ripberger, Public Services Dir.

The Mayor called the meeting to order at 7:00pm with a prayer and the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Santangelo made a motion to adopt the minutes for the November 10, 2008 Regular Council Meeting. Ms. Arlinghaus seconded and upon vote, the minutes were adopted, with Mr. Daugherty present, but not voting.

PUBLIC SERVICES/ZONING ADMINISTRATOR REPORT

Mr. Ripberger had nothing to report. Mr. Santangelo questioned the progress of the letter to Bear Creek concerning contract stipulations. Mr. Baker said it was being drafted but will not be sent until January.

FINANCE COMMITTEE REPORT

Mr. Zeck reported that the Committee met on December 5, 2008, to review the **2007- 2008 Audit prepared by Fossett and Associates**. The audit is complete except for the Management Discussion and Analysis letter and the report to Council will be made at the January meeting. The Committee is also in the process of analyzing the financial impact of annexation of the properties along Anderson Rd.

POLICE REPORT

The Mayor noted that the Police Reports are being presented at the Caucus Meetings. **Shop With A Cop** gift wrapping will take place December 11 at 6pm at the Firehouse.

FIRE AUTHORITY REPORT

Mr. Daugherty reported that the recommendation is to continue contracted **Advanced Life Support** (ALS) Services with the current contractor, the City of Erlanger. They will make it official at the December 17th meeting at Erlanger. This decision is based both on financial and

service-related advantages. He also reported that the Fire Authority is expecting \$5,000 in **FEMA** money from Hurricane Ike damage reimbursement. Come January, Mr. Daugherty will no longer be **chairperson**, as that duty will rotate to Villa Hills.

NEW BUSINESS

- Mr. Baker conducted the reading of **Municipal Order 2008-15 –Rumpke Contract Modification** setting the rate of \$12.26 per unit for curbside waste and recycling from January 1, 2009 through December 31, 2010 based upon the contract modification to the October 7, 2004 contract that calls for bi-annual recalculation of the rate based on CPI numbers. Mr. Daugherty made a motion to approve, Mr. Ramsey seconded and upon vote, the motion passed unanimously.
- Mr. Baker conducted the reading of **Municipal Order 2008-16 – Authorizing application for the Land and Water Conservation Grant for 2009**. This is through the Governor’s Office of Local Development. The City will seek ~~\$186,680~~ \$106,800 (corrected) with a required 50% reserve for our match. Mr. Ripberger stated that this is a reapplication for the grant we were not awarded in 2008, with a 20% increase from the 2008 numbers. It will be used for an additional shelter, another basketball court and added parking with access off Buttermilk Pike. Much of the match would be in-kind. Ms. Arlinghaus made a motion to approve, Mr. Daugherty seconded, and upon vote, the motion passed unanimously.
- Mr. Baker conducted the reading of **Municipal Order 2008-17 – Authorizing application for the Safe Routes to School Grant for 2009** through the Ky. Department of Transportation in the amount of \$163,840. Mr. Ripberger explained that this is the reapplication for the 2008 grant we did not get, and will be used for the completion of Phase II of the sidewalks plan, being those along Western Reserve to Anderson. This is a 100% grant. Mr. Zeck made a motion to approve, Mr. Santangelo seconded, and upon vote, the motion passed unanimously.
- Mr. Baker conducted the reading of **Municipal Order 2008-18 – Authorizing a Small Area Study (SAS)** to be conducted through the NKAPC for property bounded by Buttermilk Pike, the railroad and I-75 (near Ritchie, Terry, ...) The cost would be \$34,600 and would provide a market analysis provided by GEM Public Sector Services and a Development Plan provided by NKAPC. There was a lengthy presentation by NKAPC Representatives Dennis Gordon, Executive Director, Keith Logsdon, Deputy Director for Long Range Planning, and Ed Dietrich, the proposed project manager for the project. Mr. Gordon presented the background of the SAS as an offshoot of the Long Range Planning Department’s County-wide Comprehensive Plan as a way to help individual communities plan for growth in specific, focused, areas. They have completed five such projects: City of Ft. Wright, Unincorporated South Independence, Dixie Highway Corridor, City of Independence, and the Linden-Gateway/12th Street area in Covington. Park Hills is the sixth and will start soon. Their recommendation to us is to do this now to start at the same time as Park Hills to utilize market research that would be ‘common’ and thus would save us money. They emphasized community involvement (task force) from inception. Mr. Logsdon showed a map and discussed the limits (boundaries) of the study, as well as the elements (scope) and the proposed outcome being several hard copies plus a disc copy for us. With that, we can put a link on the website and print data etc. as we see necessary, and can enact various zoning

- changes as recommended by the analysis. NKAPC would also fit these recommendations into their Comprehensive Plan. Questions (*and answers*) followed:
1. Mr. Vergamini asked if they had done a study to date that dealt with the Railroad (*yes*) and whether a representative from the RR should sit on the Task force (*yes, if possible, but certainly there would be input sought from the RR*) and whether having 3 other jurisdictions contiguous to the area would complicate matters (*not really, they work together on the plan from inception*) He also raised the question of whether expanding the boundaries to include more area – all the land ‘within the crescent of the RR’- would make it too complicated and costly (*yes, probably, we should consider these areas in a separate study if so desired*).
 2. Mayor Collett stated that the study would look at the whole area as ancillary and note all current uses of land, but only that specific area would be part of the SAS. Our Long Range Planning Committee has considered the need for this for several years with the desire to upgrade our appearance from I-75 and to be proactive with potential developers.
 3. Mr. Vergamini asked if TANK would be considered (*yes, it is a major component*)
 4. Ms. Arlinghaus asked if any of these five previous studies translated into new development for the areas (*not much yet, it’s a long process to rezone etc. and the economic downturn has stifled growth somewhat, but getting the public behind these plans now means you’d be ready when things turn around*)
 5. Mr. Ripberger commented that President-Elect Obama has been advocating large-scale road improvements, with federal money perhaps available (*yes, this will be considered in the plan*).
 6. Mr. Daugherty inquired about the shelf life of the plan (*the Market Study portion perhaps 5-8 years- and it would be easy to make current - and the Plan itself can be a 20-30 year working plan*)
 7. Mayor Collett asked how long it would take to complete (*10 months or so*)
 8. Mr. Santangelo, LRP member, voiced his strong approval.
 9. Mayor Collett reiterated the payment structure (*\$14,000+ this fiscal year to go to GEM to cover their costs, the \$20,000+ that is the NKAPC portion could be split between the 2008-2009 and the 2009-2010 fiscal year if necessary*)
 10. Mr. Zeck was asked the question and confirmed that the Capital Improvement Fund has budgeted numbers that could cover these expenses presently (*it’s really an \$80,000 study from the NKAPC that we’d be getting for \$20,000*)
 11. Mayor Collett sees this as an investment in the City’s future, more than an expense.
 12. Mr. Zeck voiced his concern that this is an ‘intangible’, the worth of which may not be measured or realized.
 13. Ms. Arlinghaus commented on the vacancies we already have, and the businesses closing or not going into the out-lots in Buttermilk Towne Center. She is also concerned about the shelf-life of the study.
 14. Mr. Santangelo feels we should be able to do many improvements to the City (roads, website etc.) and also afford this plan so that it is in place for when the economy turns positive. The costs are reasonable.
 15. Mr. Vergamini agreed that it’s needed to get the area around the flagship Toebben Building going. It’s an investment in the future.
 16. Mayor Collett noted that this study could have a 20 to 30 year impact.

17. Mr. Daugherty noted that the risks would be higher if we don't do this. It's better to look to the future, than to look back.

18. Mr. Vergamini noted that developers typically look for two things from the City: Zoning changes and money/concessions. This way, we'd have the zoning in place first.

After discussion, Mr. Vergamini made a motion to approve, Mr. Santangelo seconded and the vote stands as follows: YES: Mr. Daugherty, Mr. Ramsey, Mr. Santangelo, and Mr. Vergamini. NO: Ms. Arlinghaus and Mr. Zeck. On vote of 4 to 2, the motion carried.

- Larry Kline, Assistant City Manager for the City of Covington, presented information on proposed changes to the **Kenton County and Cities' Countywide Business License Tax. The proposed rate change is \$225** (from \$125). The County collects the fees and currently allocations them to the individual Cities based on a formula devised in 1993. That formula will need to be revamped to reflect the inclusion of the City of Covington and the changes in domiciled business currently doing business within each city. Some areas will see a higher allocation, some will see lower. Overall though, Mr. Kline feels that all should vote to pass the new formula since it is more equitable and since this whole system is more controlled and improved, compliance should go up, creating a win-win situation. Mr. Vergamini asked how this reallocation could be approved, since the original 1993 allocation was never written down. Mr. Santangelo was concerned that just 1 'no vote' could deny the entire process. Mr. Kline responded that he was confident the the Cities could come to an agreement.
- After this discussion, Mr. Baker conducted the first reading of **Ordinance 2008-13 Amending the County wide Business License fee to \$225.**

ADOPT-A-UNIT REPORT

Ms. Arlinghaus reported that they are still seeking reservations for the February 27, 2009 Ball at Ft. Campbell. There will be a bus going, and there are a block of rooms held at the Hampton Inn. Taylor Mill has rescinded their support of \$4,000. Crescent Springs' pledge has been met by the sale of cookbooks and other fundraising efforts by the residents of Crescent Springs.

OLD BUSINESS

After having been tabled at the October 13th meeting, Mr. Baker called for a motion to address **Ordinance 2008-10**, outlining changes to the current Code of Ordinance dealing with nuisances within the City, and **Ordinance 2008-11**, which establishes a City Board of Nuisance Code Enforcement. Mr. Santangelo moved to take the ordinances off the table. Mr. Vergamini seconded, and upon unanimous vote, the discussion proceeded. Mr. Baker explained the main thrust of this ordinance is to allow the City to deal with pets – especially large animals like horses and llamas. Mr. Santangelo noted that this would affect mainly our 'agricultural residents' who are largely our life-long residents who were here before the City was. Forcing them to comply would be unreasonable. Mr. Daugherty made a motion to table

these ordinances again, Ms. Arlinghaus seconded and upon vote, the motion carried unanimously.

Mr. Baker conducted the **second reading of Ordinance 2008-12**, the Anderson Road Map Amendment, amending the zoning classification of 6.6 acres on Anderson Road (also known as Erlanger-Crescent Springs Road) at the intersection of Eubanks and Croley St., from R1G and IP-2 to NC (Neighborhood Commercial). Mr. Daugherty made a motion to approve, Ms. Arlinghaus seconded, and upon vote, the motion carried unanimously.

MAYOR’S REPORT

Mayor Collett requested nominations for the various board and commission seats for 2009. The Mayor invited all to the **Tree Lighting Event to be held December 12th** at 6:30. There will be singing by LC Taylor, the ceremonial ‘lighting’ and then cider and cookies to follow. It was decided that the Caucus meeting regularly scheduled for December 22 would be cancelled.

There will be a **Special Meeting on December 22 at 7:00pm** to do a second reading of Ordinance 2008-12, to appoint Mr. Ripberger the City representative for FEMA funds and to conduct the swearing-in of the 2009-2010 Council.

ADJOURNMENT

Mr. Daugherty made a motion to adjourn the Meeting. Mr. Santangelo seconded and all agreed. The meeting was adjourned at approximately 9:02 pm.

ATTESTED BY:

Susan G. Hill

James Collett

City Clerk

Mayor

Approved: _____ January 12, 2009 _____