

MINUTES OF A REGULAR MEETING  
OF THE BOARD OF COUNCIL OF THE  
CITY OF FORT THOMAS, CAMPBELL  
COUNTY, KENTUCKY, ON MONDAY,  
MAY 3, 2004.

Mayor Mary H. Brown called the Regular Meeting of the Board of Council, City of Fort Thomas, to order at 8:00 P.M. on Monday, May 3, 2004. She asked the Clerk to call the roll and the following Councilmembers were present: Barbara Runge, Jim Doepker, Karen Lied, Roger Peterman, Tom Lampe. Eric Haas was absent. Also attending were the following staff members: Jeff Earlywine, City Administrative Officer, City Clerk Dottie Ivie, City Attorney Jann Seidenfaden, City Treasurer Fred Ewald, Assistant to the CAO Jay Treft, Fire Chief Dale Edmondson and Police Chief Steve Schmidt.

Mayor Brown then led the Pledge of Allegiance to the flag and asked for disposition of the Minutes from the previous Regular Meeting. It was moved (Peterman) and seconded (Lampe) to approve the minutes as presented; and upon voice vote, it was unanimous Ayes (5-0) and the motion carried.

A letter was on the Agenda from Mr. & Mrs. Art Grimme, 62 Daisy Lane, regarding barking dogs in the neighborhood, and Mr. Grimme was present. The letter was read by the Clerk and there was some discussion of what procedures should be followed in the event that barking dogs disturb the peace and create a nuisance in any neighborhood. The Grimme's letter said that there are "several dogs in the neighborhood" that bark and howl during the night and they have been "awakened on numerous occasions during the night (at all different hours)." The situation and the disturbance of the peace has made it difficult to sleep and has resulted in "a deterioration of our disposition, attitude and attention during our waking hours." He asked what can be done to get this "irritating situation resolved in an amicable manner." On behalf of the Animal Control Officer, Jay Treft responded that in order to dispatch the City's Animal Control Officer, a citizen should contact the Police Dispatch non-emergency number, 859-292-3622, for a response from either Ms. Teri Baker, or from a police officer in a cruiser who will check this situation.

Another letter had been left on a table in the Council room prior to the meeting addressed to Councilmembers, along with photos of their dog named Buddy. The letter from the Hemplemans, who live in the area, defended their own dog, who "occasionally barks" stating that he has undergone surgery and is not in good health. The writer, Kim Hempleman, 322 Newman Avenue, said that they feel that "it's not Butch barking" as was stated in another complaint and that it is more important that neighbors "tolerate (the) different things" such as brush piles and noise from rock band practices that present themselves in a neighborhood.

Mrs. Joan Farris, 100 Burney Lane, presented her complaint to Council stemming from a recent article in the Cincinnati Enquirer regarding the Northern Ky. Sanitation Department's listed trouble areas in the Campbell County area. These are locations where heavy rains and subsequent flooding cause sewer lines to become overtaxed and flow over their boundaries. The article listed four locations in Fort Thomas where overflows occur. Mrs. Farris accused Mr. Earlywine of doing nothing about this and asked why the City needs to beautify the center of town when this more serious problem is going on. She continued that whatever groups of people are evaluating these matters, it seems that we "protect our trees more than our children."

Mr. Earlywine responded that the article did indeed identify the worst areas in Northern Kentucky in an attempt to prioritize the needs of the Sanitation District system. Whether it is heavy rains, improperly connected downspouts, or infiltration from older, possibly broken lines, this combination of waste water and overflow is something that will require eventual replacement. He said that this is not just a problem of Fort Thomas, or even of Northern Kentucky, since Hamilton County and other areas experience these problems too. In fact, an outfall line nearby that runs down U.S. 27 to Mook Road has presented problems in the area of Burney Lane for many years.

Mrs. Farris said that “there are now signs that have been placed in many of the yards in her area” (by the Sanitation District?) some of these are in the woods of her back yard and (these visible signs) may well “lead to lower property values.” She said she is asking for “replacement of (any) illegal lines” and that the City check with the Sanitation Department for an engineering analysis so that there won’t be “any more cases of cancer in the neighborhood.” She said there have been a number of cases that have occurred in her neighborhood, with unknown causes. Mr. Earlywine said he would follow up with the Sanitation District officials and provide her a response.

A letter from the Fort Thomas Planning Commission presented their review of and recommendation for approval of a proposed zone change at 25 S. Ft. Thomas Avenue. Mr. Earlywine explained that this is a large home, currently zoned residential, whereby new property owners would like to continue residential use of the first and second floors and are requesting that the basement – lower level of their house be provided for as an office use. Mr. Doepker asked if there was a shared parking agreement with the church and whether or not this was discussed at the Public Hearing. Mr. Earlywine responded that it was discussed thoroughly at that hearing and there is sufficient parking for the property with no cross easements required. The findings and requirements of the Planning Commission are listed in the Resolution that was attached to the letter. It was moved (Runge) and seconded (Doepker) to refer this to the Committee of the Whole for additional review and disposition at the next Regular Council meeting on May 17, 2004. Upon unanimous Aye voice vote, the motion carried.

Mr. Earlywine reported to Council on the 2004 Street Repairs and Resurfacing program bids. The City received five (5) bids, with each verified and checked by our City Engineer. His report lists Eaton Asphalt Co. as the low bidder at their bid of \$177,130.20. He said that the Engineer’s Estimate came in at \$214,129, and since there was a large difference, he asked Mark Brueggemann to contact Eaton Company officials and verify that their bid was not in error. There was some discussion about the bid and Mr. Peterman asked whether or not it could be extended to get this low dollar amount to work for more street resurfacing. After discussion, it was determined that the requirements for public hearings and notifications would not permit adding additional work under the bid. Mr. Peterman also asked that CDS be requested to include the Engineer’s Estimate, or “Probable Opinion of Cost,” with their Report to Council for easier comparison of the bids. Mr. Earlywine said that the Estimate was submitted, but not attached to Council’s copy of the Bid tally.

Mr. Earlywine then announced that Fire Chief Dale Edmondson will be retiring from the City on August 1<sup>st</sup> and may be accepting a position as Dispatch Coordinator for the (Campbell County/Newport/Fort Thomas) Central Dispatch Center in the next few weeks. Edmondson was hired by the City in 1979 and has been Fire Chief since November 1999. We will now need to begin the process of selecting a new Chief, which will be advertised both within the City Fire Department and outside as well, according to Mr. Earlywine. Mayor Brown said she wanted to express her “heartfelt sorrow” at this news. “The Fire Department has never been in better hands,” she said, “and there are truly mixed emotions at seeing Dale leave. He will be greatly missed.”

Under New Business, Mrs. Runge called attention to an article that was included in Council packets “for our information” regarding a new smoking ban within the city of Lexington. She said that she is, at least personally, opposed to smoking and thinks the action in Lexington banning smoking in public areas is “a wonderful idea.” Mr. Earlywine said that the staff has actually not discussed this as a recommendation for Council, but it is a positive that the Supreme Court recognizes “Home Rule” in cases such as these, where a local legislative matter can be implemented by those who know their own communities best.

The Finance Committee’s Report on Vouchers was reviewed, presented, and upon motion (Lied) and second (Doepker), it was voted by Roll Call to concur in their recommendation for approval and processing of the vouchers to be paid. All voted Aye; motion carried.

Ordinance No. O-10-2004, Amending the FY 2003-2004 Budget, was adopted upon motion (Peterman), second (Lampe) and unanimous Aye Roll Call vote. Council set a meeting of the Public Safety Committee

meeting for Wednesday, May 26, 2004, at 5:00 P.M. for the interviewing of three Fire Recruit Candidates (filling a position left vacant as replacement was made for one officer who is retiring after an injury. Also, the Finance Committee will meet on Wednesday, June 2, 2004, at 11:30 A.M. to review the proposed Fiscal Year Budget for FY 2004-05. Mayor Brown then called for a motion for a Closed Session for the purpose of discussion regarding: Litigation; so moved (Runge), seconded (Doepker); all voted Aye; motion carried. There being no further business to come before Council, the meeting was adjourned.

SIGNED:

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Mary H. Brown, Mayor

ATTEST:

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Dorothy A. Ivie, City Clerk