

MINUTES OF A REGULAR MEETING
OF THE BOARD OF COUNCIL OF THE
CITY OF FORT THOMAS, CAMPBELL
COUNTY, KENTUCKY, ON MONDAY,
NOVEMBER 22, 2004.

The Regular Meeting of the Board of Council was called to order at 8:00 P.M. on Monday, November 22, 2004, by Mayor Mary H. Brown. This meeting was rescheduled from November 15 due to lack of a quorum for the meeting on that date. Mayor Brown asked the Clerk to call the Roll, and the following Councilmembers were recorded as present: Barbara Runge, Jim Doepker, Karen Lied, Eric Haas, and Roger Peterman. Tom Lampe was absent. Also in attendance were the following staff members: Jeff Earlywine, City Administrative Officer; Dottie Ivie, City Clerk; Fred Ewald, City Treasurer; Jann Seidenfaden, City Attorney; Police Chief Steve Schmidt and Fire Chief Mark Bailey.

Minutes from the previous Regular Meeting were presented to Council members in their packets for review and upon a motion to approve (Doepker) and second (Runge), there was a unanimous Aye voice vote; motion carried. Mayor Brown said that due to the attendance of numerous members of the Fire Department and family members in the audience, she would change the order of the Agenda and the next item would be the promotion of a Firefighter to the rank of Lieutenant. After the Clerk read the Executive Order, EO-8-2004, she called Firefighter Richard L. Boothe forward and presented him with a framed copy of his Order. She was assisted by Fire Chief Bailey, who pinned on Boothe's new Officer Badge. She then asked Lt. Boothe to introduce members of his family. She thanked the Fire Department members who were present for their presence and support. No Council action was required for an Executive Order.

She then said that she would also like to present an appointment of the Fire Chief at the same time. City Clerk Ivie then read the Municipal Order, MO-23-2004, Appointing Chief Bailey to the Campbell County Consolidated Dispatch Board. It was moved (Peterman) and seconded (Doepker) to adopt the Municipal Order and upon voice vote, all voted Aye; motion carried.

The Clerk then read a letter from Attorney Scott D. Tranter, representing Miss Patricia Stratman, regarding the possibility of closing an old paper street extending off of Newman Avenue. Mr. Earlywine explained that this matter was initially presented to the City over 2 ½ years ago at which time Mr. Tranter was advised of the process to vacate by City Attorney Jann Seidenfaden. Apparently, Mr. Tranter raised several issues regarding whether or not the paper street was owned by the City (Fort Thomas) or the County (Campbell).

In addition, a dispute over the location of a property line was also being discussed by Mr. Tranter with representatives of the Eagle View Homeowners Association. Eventually Mr. Tranter decided to file a law suit and petition the court to vacate the right-of-way, naming the City of Fort Thomas as a defendant. It is important to note that 2 ½ years have transpired and the City has incurred approximately \$2500 in legal fees in reaching the very point that the City recommended back in early 2002.

Mr. Earlywine recommended referring this to the Law-Labor-License Committee for their study and recommendation, with special attention to the unusual circumstances as noted. It was so moved (Runge), seconded (Lied) and upon voice vote, unanimous Aye votes were recorded.

A letter was read aloud by the Clerk from Mr. and Mrs. Frank Glandorf, requesting abatement of a late penalty on their 2004 real estate tax bill. Mr. Ewald reviewed the measures taken by the Finance Office as well as Campbell County to locate the residents, which included three mailings sent and returned, and three calls to the County. They have no record of any notation made at any time by the Glandorfs as to a forwarding address.

Therefore, it was moved (Runge), and seconded (Doepker) to deny the request. Upon voice vote, all voted Aye; motion carried.

Mr. Ewald said that another request had been presented to him from Mrs. Thelma Vacca, 130 Hartweg, for an abatement of penalty and interest on her tax bill which had been received late. In her case, she had written the check out, was then in the hospital and had instructed her daughter to mail the check. The check wasn't mailed so it was necessary to calculate late penalty and interest. Mr. Ewald said that, with Council's verbal approval, he would follow the long-standing policy of Council to treat all taxpayers with as much equality as possible and not provide for abatements. He will contact Mrs. Vacca personally.

Chief Steve Schmidt presented the Police Department Monthly Report for October and it was received and filed upon motion (Runge), second (Lied) and unanimous Aye voice vote. He reported that three defibrillators have been ordered for placement on the cruisers, but not all personnel have as yet been trained in their use. He said he wanted to thank the Fire Department for their help in obtaining these machines and for volunteering to train the police personnel.

Chief Mark Bailey then presented the Fire Department October Monthly Report and it was received and filed upon motion (Runge), second (Lied) and 5-0 unanimous Aye voice vote. The Chief reviewed Fire Prevention activities of the Department for the month, and said they are happy to welcome a new Firefighter/Paramedic Kasey Carr.

Mr. Earlywine then reported on the Public Hearing held November 18, 2004, for the purpose of hearing public comment on a proposal for South Grand Avenue that would change the roadway from two lanes to one lane in order to provide parking for residents. He said that approximately 70 residents attended and several others provided letters or e-mails with their opinions of the proposed changes. Grand Avenue (from Highland Avenue to South Fort Thomas Avenue) is one of the wider streets in the City and would have space for a parking lane on each side. He reviewed the City Engineer's Plan, as coordinated with the Ky. Department of Transportation and said that "it appears that the current proposal lacks broad support from residents along Grand Avenue and adjacent side streets along this corridor. He said that two recurring points were made in expressing concerns about safety: 1. with the current speed limit of 35 mph, it would be difficult to back out of driveways; and 2. in changing the two lanes into one, you would lose the "margin of error" that many drivers use as they go through the curves.

He said that the main focus that seemed to develop at the Public Hearing encompassed speeding concerns. To address that situation immediately, he said that he will move this area into the in-place Neighborhood Traffic Policy within the next week or so, and residents will have the Police Department resources of the StealthStat, the speed trailer, and more stringent officer enforcement. Mr. Chris Holden, the resident who originated the study, said that most of what is being presented seems to be "opinion, not facts" and he said that he would like "some further study, of a more scientific nature." Several agreed that the receipt of a post card by a large number of residents contained misinformation that generated so many attending the meeting. Mr. Joe Schwerling said that he felt that if more residents in the City were informed of the proposed changes, even more would oppose it. He feels that Grand Avenue "works well, for the volume handled" and is "one of the City's safest streets."

After discussion among Council and comments from some Grand Avenue area residents in the audience, Council determined to not move forward with any further review of consideration at this time. He said that while some benefits of the plan have been identified, the prevailing thought is that the plan should be driven by the public to achieve the best results. Council suggestions included making a smaller copy of the engineering drawings that can be distributed to any residents who feel they want to pursue the issue further. The proposal could be "revisited at a future date if and when broader interest and support from the public is evident."

Next, Mr. Earlywine reviewed the bid process for the purchase of new joint sealing equipment. There was one bid received for joint sealing equipment from BrewPro, which it was recommended be accepted at a total price of \$19,450. The City had rejected the offer of BrewPro to buy our old equipment (\$600 to \$1,000) thinking we could make better use (and/or profit) from selling the piecemeal parts.

Subsequently, BrewPro has raised their offer to purchase the City's old equipment to \$1,950, so that was verbally accepted and this equipment will be used as a trade-in. The process now requires that an amendment to the bid include their purchase of our old piece of equipment. The total bid price was \$19,450 originally and would be reduced accordingly. It was moved (Peterman) and seconded (Runge) to take advantage of this price opportunity, and upon Roll Call vote, all voted Aye; motion carried.

Under New Business, Mr. Earlywine presented the final plat for the Alpine Subdivision and asked that the Mayor be authorized to sign the plat for filing. Mayor Brown asked if there was any stipulation that the old trees are saved on this property. Mr. Earlywine said that an arborist has been working with the City to save some trees remove some that are diseased, and eliminate the ones that are directly where a home would be placed. The goal is to save as many as possible. A motion was made to authorize the Mayor to sign the plat (Peterman), it was seconded (Haas), and upon Roll Call vote, all voted Aye; motion carried.

There was no Finance Committee report on vouchers due to the one week delay in the Council meeting. City Treasurer Fred Ewald said he had obtained the authorized signatures needed for all of the vouchers that needed to be processed and paid.

Ordinance O-27-2004, Amending the Occupational License Ordinance, was adopted upon motion (Doepker), second (Lied) and unanimous Aye Roll Call vote. There being no further business to come before Council, the meeting was adjourned.

APPROVED:

Mary H. Brown, Mayor

ATTEST:

Dorothy A. Ivie, City Clerk