

**CITY OF FORT MITCHELL, KY
CITY COUNCIL MEETING
July 20, 2009**

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Holocher called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

PRESENT: Vicki Boerger, Mary Burns, Bill Reis, David Schrand, Will Terwort and Christopher Wiest **ABSENT:** David Stoeckle, Dennis Zahler **Others Present:** Mayor Thomas Holocher, Police Chief/CAO Steve Hensley, City Attorney Robert Ziegler, Public Works Director Robert Zerhusen, Fire Chief Scott McVey, Assistant Chief David Jansing, Captain James Bussman and City Clerk Amy Able.

APPROVAL OF AGENDA AND MINUTES

Mr. Terwort asked to add Resolution 2009-12 to the agenda. **Mr. Reis made a motion to accept the revised agenda; Mr. Schrand offered a second to the motion. Mayor Holocher called for a vote and the motion carried by voice vote.**

Ms. Burns asked for a change to the minutes (noted on page 3). **Mrs. Boerger made a motion to approve the minutes of the July 6, 2009 meeting as corrected; Mr. Wiest offered a second to the motion. Mayor Holocher called for a vote and the motion carried by voice vote.**

CITIZENS NOT ON THE AGENDA / MAYOR'S REPORT

There were no citizens present responding to Mayor Holocher's invitation to address Council. Mayor Holocher had nothing to report.

CITY ATTORNEY'S REPORT

Mr. Ziegler read **Resolution 2009-12** regarding oversight of spending and accountability within the Kentucky League of Cities. There was a brief discussion of recent articles appearing in the Lexington Herald-Leader. Bidding out the city's insurance policy if there are not significant changes was mentioned. The KLC has put out a statement that it is understandable for cities with concerns to not pay 2010 membership dues until these matters have been addressed to their satisfaction. **Mr. Terwort made a motion to adopt Resolution 2009-12; second to the motion was offered by Mr. Wiest.** Mayor Holocher called for any questions or comments and, upon hearing that there were none, he called for a roll call vote.

Mr. Terwort:	Yes	Ms. Burns:	Yes
Mr. Wiest:	Yes	Mr. Reis:	Yes
Mrs. Boerger:	Yes	Mr. Schrand:	No

Yes: 5 No: 1 Absent: 2 Motion carried.

CITY ADMINISTRATOR'S REPORT

The **Sanitation District** has provided information in response to the questions from Council. Summaries were distributed to Council and there was lengthy discussion of that information. It was noted SD1 has provided a 50% match for all projects we submitted and we haven't asked for more do to our own budget constraints for covering our portion. The amount collected compared to the amounts spent on projects was mentioned as well as overhead such as mapping and engineering work. The City also benefits from the money that has been spent on review work and on projects in other cities (such as the current project in Lakeside Park). Water discharged in one city or area ends up in another which is why a regional approach has been chosen. Contractual questions can be reviewed. Mr. Eger will be invited to a future meeting to provide more information. SD1 believes the transfer agreement is a continuation of the agreement signed in 2003. The city attorney for Cold Spring, Brandon Volker is willing to attend a meeting to answer questions. Formation of a storm water board was suggested as a possible alternative. Informal communication with other area cities indicates the majority will continue with the transfers to SD1. Asst.

Chief Jansing (who also serves on the Lakeside Park City Council) indicated their intent is to move forward with the transfer to SD1. He noted the half million dollar project on VanDeren. Mr. Zerhusen stated as a citizen and an employee he supported moving ahead with the transfer to SD1. He added in an older city the sanitation lines are close to the storm lines and it is almost a must to address one with the other. To have them maintained by different entities would be problematic. Mr. Ziegler offered that by proceeding with the transfer we may not eliminate totally our (liability) exposure but will greatly reduce it. Catch basins and the top or upper portions at street level would remain our responsibility. Information on the history spanning fifteen years is available for Council to review.

Mr. Zerhusen gave a report on road projects. Work will be done on the water main on **Oxford Avenue** this week. That phase will take three to four weeks to complete, then the road reconstruction will begin. The area for the suggested improvement to the **turning radius onto Beechwood Road** has been marked. The City will continue to review this with the engineer and discuss obtaining the right-of-way with the resident. Bids were opened for the **Huckleberry, Plantation and Seville projects** which are milling and blacktopping projects with some road repairs and underdrains to be addressed. The bids were very favorable and lower than the engineer's estimate; Michel's was the low bidder. We are working with Mr. Ziegler and on some agreements with the Water District and our contracts for the specifications for the **Williamsburg, Gettysburg and Allentown projects**. This should be completed this week and then put out to bid. The **Dixie Highway sidewalk improvements** (between Requardt and Orphanage Road) are near completion. We are waiting on lights to finish the projects and then we will meet with the business owners to discuss placing benches, trash receptacles and planters in the area. There will be a meeting with a resident of **East Drive** regarding a property appraisal. We will attempt to work out a right-of-way property acquisition for a turn-around. The gas company will soon be replacing the rest of the line there so this is an opportune time to address this project which has been on the books for two years. Ms. Burns asked about repainting a yellow center line on **Beechwood Road**. Chief Hensley advised we are waiting on a response on a grant application which may help fund additional signage and markings; we expect to make improvements before school starts. In response to complaints, the radar trailer was set up to discourage speeding. There is a considerable amount of traffic, over a seventy-two hour period the vehicle count was 6,000. Mr. Terwort mentioned an email council received from **Bluegrass Paving** questioning the bids on Huckleberry, Plantation and Seville. The company stated their bid was \$1,500 lower on the Huckleberry and Plantation portion of the project. Mr. Terwort asked for information about the bidding process. Mr. Zerhusen explained the specifications detailed that this was being bid as all one project and if it came in over budget the City would have the option of choosing to proceed with only one part. Historically, the bid would be awarded to the company with the lowest bid for the combined project, but this allowed an option to proceed with a portion of the work if there was not enough money budgeted to do the entire project. The total amounts of bids were \$121,437 from Bluegrass Paving and \$111,491.75 from Michel's.

Chief McVey stated the new schedule for the fire department is working out well.

COMMENTS FROM COUNCIL

Mrs. Boerger reported on the first meeting of the **Centennial Committee**. It was well attended with many good ideas discussed. The first area of focus will be compiling a history to be published in a booklet. Other ideas include activities such as an ice cream social and movie night or a "Taste of Fort Mitchell" event and special considerations for the Independence Day Parade. Historic markers have also been suggested including a marker for the end of the (street car) line was located. **They will meet again on August 10, 2009** and will continue to meet on the second Monday of each month at 6:30 p.m.

Mr. Reis asked if a property owner grants **an easement for a utility and a hazard** such as a fallen tree is present in the easement, is it the responsibility of the homeowner or the utility company. Mr. Ziegler advised this would be the homeowner's responsibility unless the utility company created the hazard.

Mr. Wiest offered an update, the fire department was asked to **review the burning ordinance** and a draft of the suggested revisions will be forwarded soon to the Mayor and Chief Hensley for their comments.

Mr. Schrand noted the **Committee reviewing the Zoning Regulations** will be meeting on July 22, 2009 at 5:30 p.m. The Mayor has asked the committee to review the current restrictions on accessory structures.

ADJOURNMENT

There being no further business on the agenda, **Mr. Wiest made a motion to adjourn, and Mr. Reis offered a second to the motion.** Motion carried by voice vote, **the meeting adjourned at 8:15 p.m.**

Signed _____, 2009

Respectfully submitted by:

Amy B. Able, City Clerk

Thomas E. Holocher, Mayor