

Cold Spring City Council

July 27, 2009

The regular meeting of the Cold Spring City Council was called to order by Mayor Mark Stoeber. Pledge to the flag and prayer was led by the City Receptionist. Roll call showed the following council members present – Lou Gerding, Brenda Helton, Rob Moore, Stuart Oehrle, Janis Reiman and Sandy Ross. Also present were Police Chief Ed Burk, City Receptionist Teresa Knauer, City Administrative Officer Michael Vank, and City Attorney Brandon Voelker.

Mayor Stoeber pointed out exits from Council Chambers, per Fire Department regulations.

As a result of the Safety Committee meeting Mayor Stoeber requested an addition to the agenda, under New Business 10.B. for the first reading of an ordinance updating the Police Department Policy Manual which is part of Ed Burk's annual review and part of his accreditation process. Council member Brenda Helton asked if we had heard back from AT&T on the cell tower sublease issue. Brandon Voelker stated we have not received information from AT&T. Therefore, the AT&T agenda item under New Business – 10. A., for the AT&T cell tower sublease, was removed from the agenda.

Mayor Stoeber pointed out items of interest to the community:

David and Peggy Schweitzer of 17 Andrew Circle were named by the Park Board as recipients of the July Yard of the Month award. Cindy Wehry presented them with a photograph of their home and yard; and a Yard of the Month sign will be placed in their yard. Mayor Stoeber commented on the gorgeous yard and Janis Reiman stated she is privileged to live across the street and gets to look at it every day. A round of applause and congratulations were given to the Schweitzers.

Mayor Stoeber announced that on Tuesday, August 4, at 6:30 pm, National Night Out will be held at Friendship Park. It is sponsored by the Cold Spring Police Department and the Central Campbell County Fire Department. It is a wonderful event and gives everyone the opportunity to learn and see services that the Police and Fire Departments provide. More importantly, it gives everyone the opportunity to meet up close and talk with the people who serve the community.

On Saturday, August 8, the 11th annual Cold Spring Cruise-In / Concert will be held at Municipal Park. The Cruise-In begins at 4:00 pm with local restaurants selling food. The evening concert with Hot Wax begins at 8:00 pm. Parking cost is \$5.00 for the event. This is an affordable good time for all. We look forward to seeing everyone on Saturday, August 8th.

On Saturday, August 1st, St. Joseph's Church will have their third annual Blue Jay Run in concert with St. Joseph's annual festival. Both East Alexandria Pike and Dodsworth Lane will be closed from 9:00 am until approximately 9:40 am and we urge ~~our~~ our residents to be extra safe during that time period on Saturday. It's a run, it's a walk, and afterwards, if you have children they have a little mini-kids' fun run back on the church grounds. There is a lot of activity and it is a good, healthy time for all.

On Saturday, August 15th, the family of Carole Huber and Chicks & Chucks Inc., in cooperation with the City of Cold Spring, will hold the 1st annual Carole Huber Memorial Wiffle Ball Tournament at the Carole Huber Ballfield at Municipal Park. Teams of three to five players can sign up for \$75 with all proceeds donated to Chicks & Chucks, Inc., a non-profit organization battling and supporting breast cancer. For more information call the City Building.

Mayor Stoeber stated that while he is extremely proud of our workers within the City, an error was made and unfortunately, the City newsletter went out with many names not matching addresses. The data file went in transfer from the City to the outside service that we use to basically address, fold, and send out. The data file became corrupted. All of the addresses remained, but the names no longer matched the address. We did include "current resident" on the mailing and the Highland Heights postmaster delivered as many as they could. For those of you who may not have gotten theirs, we have extras in the office and we can make sure you get one. Call the city and we will make sure you get your newsletter as soon as possible. Stuart Oehrle says he will put it on the website by tomorrow morning.

There will be a drawing for an American flag and pole for residents who stay until the end of this meeting.

Mayor Stoeber stated that school starts on August 10th. He pointed out that we should be very careful in school zones for the safety of children and watch out for the buses, which will be coming in and out. Watch your speed!

The minutes of the June 22nd regular meeting were reviewed by all. Stuart Oehrle made a motion for approval and Rob Moore seconded the motion. All were in favor and the Motion carried.

Police Chief Ed Burk gave his quarterly report. He stated that every quarter he gets the opportunity to talk to council and citizens about things going on in the City regarding the Police Department. One thing done recently was a survey on the satisfaction of the Police Department and the services they provide the City. We have approximately 3,500 addresses in the City. According to statistical information reviewed, 361 surveys were sent out randomly to residences and businesses in the City. We made sure at least one person on every street received the survey. A postcard was sent May 6th stating they would be getting a survey and two weeks later the surveys were sent. Of those 361 sent, 148 surveys were returned. That's 40.99% return where typically there is only a 25% response rate. Chief Burk went through the survey questions and shared responses received. Chief Burk wanted to do this survey now because they are getting ready to begin their Geofocus. Chief Burk stated that the outcome was very good and it will be hard to improve upon.

Rob Moore mentioned it seemed like the large percentage of those who responded did not report on criminal activity that they had seen. Chief Burk responded that one of the quandaries of most law enforcement is trying to get people to do things in the general public. Janis Reiman asked Chief Burk how police officers felt when they got these results. Chief Burk responded they will go through them more thoroughly at the first of the month when they begin their Geofocus, but quite a few of the officers were pleased. Mayor Stoeber thanked Ed Burk for his report.

Bev Jacobs of Sturbridge Drive addressed council. She questioned if there was a curfew during the week and the weekend and if it is the same for all age groups and in all neighborhoods. Ms. Jacobs also stated that she was told by someone from Alexandria that if they registered for a certain program on the internet she would get updates from the City. That had been two weeks ago and she has not gotten any emails about anything in Cold Spring or anywhere. Chief Burk advised her that the curfew is 11:00 pm during the week and on Fridays and Saturdays is 1:00 am. He stated that the age for the curfew is up to 16. The city update is the Citizens' Alert program. He told her that settings should be checked on how far out it goes to be sure it includes Cold Spring, and whether or not it's Cincinnati, Fort Thomas, Alexandria.

Ms. Jacobs questioned if Chief Burk's survey compared the crimes that were reported about with those also reported from other cities. She questioned if they reported house break-ins, car break-ins, harassments in neighborhoods or vandalisms. Mayor Stoeber clarified that the survey questions were basically asking residents either if they had been involved or what their perception was of crime. Ms. Jacobs stated that in her neighborhood break-ins have not been low. Obviously people in the Sturbridge neighborhood were not surveyed or if they were, they did not respond. She did not receive a survey. Ms. Jacobs told the Chief that people do not report crimes because when there have been crimes in her neighborhood, where a radio was stolen, night time ringing of doorbells, or something was taken, the people who reported these were told that with incidents like that, the police can't do anything if they don't see it themselves. Even if the resident saw the person who committed the crime, it doesn't make any difference. That is why people in her neighborhood don't bother to call the police and have them respond because the police aren't going to do anything anyway. Then they are then targeted as a trouble-maker of the street. Mayor Stoeber clarified that she was not saying she was being retaliated against or targeted by our police department. Ms. Jacobs said it is not the police, it is the juveniles on the street. The Chief asked Ms. Jacobs to speak to him and Detective Ratcliff at a later time. Mayor Stoeber stated he admired her energy and willingness to protect her own neighborhood and property and understands there are woods around the neighborhood where kids can run in and out of the neighborhood. She stated she is afraid to go on vacation because of these issues. She knows there is a vacation watch done by the Police Department but that makes it clear to anyone watching that they are not home with police parking in the driveway, getting out and walking around the property twice a day.

Ordinance 09-957 was read in summary for the first time updating the Police Department Policy Manual. This was a result of Safety Committee review of policy updates that the Chief has suggested out of need and also to remain in compliance with the accreditation process. **Janis Reiman made a motion to accept the updates pertaining to policy numbers 5, 11, 16, 26, 32, 36, 78, 84, 85, 86, 87, 88, 89, 90, 91 and 92.** Lou Gerding seconded the motion. Roll call vote showed six yeses and no noes. **Motion carried.**

Departmental reports were reviewed. Mayor Stoeber mentioned we had an extensive Police Department report and it was very good. He stated that Public Works will be busy with the Cruise-In / Concert. Mayor Stoeber thanked Cindy Wehry and the Parks Recreation and Tree Commission on their exciting time of the year with Yard of the Month awards. Mayor Stoeber commented on Animal Control as it is his understanding that Granite Spring is being swamped by the skunk problem. Janis Reiman stated that she called the Police Department with a noise issue. Officer Love found that the problem was not a dog. Madonna Estates should look out because there is a fox in the area.

Sandy Ross questioned correspondence regarding the Waiver of Health Care Benefit from the City and if it is an annual or once-and-for-all thing. Mayor Stoeber stated it was annual. She also asked about the status of the sign for Friendship Park. Mayor explained the Friendship Park sign will be going back up with better visibility. Ms. Ross also commended Public Works on their super job with the playgrounds and parks saying if people have not visited the parks this summer they should take

advantage of them because Public Works has really worked hard and done a nice job. She also wanted to mention the great color choice for the newsletter.

Stuart Oehrle requested that an electronic file of City newsletter to be placed on City website. Mr. Oehrle stated that he also has experienced ringing of doorbells in middle of night and he too is guilty of not having called the Police. He verified with Chief Burk that the police would have the ability to go after the suspect even if they run across the street to the county jurisdiction where they may reside. He verified that this is not the case with an animal running loose, which must be apprehended in the city limits.

Brenda Helton mentioned to Chris Mayhew of the Community Press that there was a story about nature hiking trails in your backyard and she thinks Cold Spring has some excellent hiking trails and were not part of the story. For everyone's information there are excellent hiking trails right here in Cold Spring. Stuart Oehrle added a thank you to Mr. Mayhew from his neighbors who are now once again receiving the Community Recorder.

Janis Reiman wanted to reiterate that even though you don't feel like it's going to have much response, please make phone calls to the Police Department when you are having doorbells rung at night or cars egged, because there may be other incidents happening and if there are other calls they help to reinforce the issue.

Brandon Voelker has a list regarding alarm drops and wants to let everyone know that the City has an ordinance that after doing so many alarm drops free that sometimes people do not fix their alarm system and it keeps being set off. A lot of times they refuse to pay the fine incurred after so many police responses. He passed around a copy of the existing ordinance for council's review. Brandon Voelker stated that the letter now states they must pay the fine or it will be referred to the City Attorney. He would like to have a first reading amending Ordinance 97-99 to make it a civil offense so it can be cited to the Code Enforcement Board. Then if they are found guilty of not paying, a lien can be placed on the property which will give the issue more teeth. One business in particular has received fee notices over the past year and has not paid them. When you receive a fine notice and refuse to pay, hopefully people will realize they will have a big fee for not paying and they will go ahead and pay the fine. Attorney Voelker stated that once the City puts a lien on the building, when that business moves, the City will be able to collect on those outstanding fines.

Mayor Stoeber suggested getting information to council and putting this on August Council Meeting for second reading or put this first reading on the August Caucus Meeting agenda. Sandy Ross asked for and received clarification on alarm drop fines. Attorney Voelker explained that some have an alarm in disrepair that they are refusing to have fixed so the fines add up and are not paid.

Mayor Mark Stoeber recapped all events going on in the City and congratulated Mr. & Mrs. Schweitzer on their Yard of the Month award.

There was no one in attendance for the flag drawing.

Stuart Oehrle made a **motion to enter into executive session per K.R.S. 61-810 C - litigation**. Lou Gerding seconded the motion. All were in favor. **Motion carried.**

Lou Gerding made a motion to come out of executive session and Sandy Ross seconded the motion. All were in favor. Motion carried. No action was taken as a result of this executive session.

Stuart Oehrle made a motion to adjourn the July 27th meeting and Janis Reiman seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: