

Cold Spring City Council July 26, 2010

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 Clerk. Roll call showed the following council members present – Lou Gerding, Dave Guidugli, Brenda Helton, Rob Moore, Stuart Oehrle, and Sandy Ross. Also present were Police Chief Ed Burk, City Clerk Rita Seger, Administrative Officer Michael Vank and City Attorney Brandon Voelker.

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

There were no additions or deletions to the agenda.

Cindy Wehry, member of the Parks, Recreation, and Tree Commission, announced that the June Yard of the Month was awarded to Steve and Vickie Trauth of 59 Madonna Lane. In June, they were presented with a plaque showing a photo of their home and yard, and a yard of the month sign was placed in their yard. Ms. Wehry stated that the winner for the July Yard of the Month goes to David and Cyndi Couch, of 92 Stonyridge Drive. Mr. and Mrs. Couch were present to receive their plaque. A yard of the month sign was placed in their yard. The Couch's were congratulated with a round of applause. Mayor Stoeber stated that this is the seventh year of this wonderful award that runs from May through October. It recognizes the efforts made by our residents who keep their yards beautiful.

Mayor Stoeber announced that National Night Out will be held on Tuesday, August 3rd beginning at 6 pm at our Friendship Park. Chief Ed Burk stated that this is a celebration of Police and Fire Departments across the country inviting the community to see what they do. There will be various demonstrations, and hot dogs, drinks and refreshments will be served. Mayor Stoeber stated that this is a great opportunity to meet and interact with our Police and Fire Departments.

Another major event put on by our Parks, Recreation, and Tree Commission is the Cold Spring Cruise In – Concert, which will be held on Saturday, August 14th. This is the 12th year for this event. The Cruise In begins at 4 pm. It is not only for classic cars, but it is wide open to all levels and types of vehicles. We average 250 to 300 cars and it is a great event. We have a free concert afterwards, at 8 pm, featuring the Hot Wax Show Band. There will be plenty of food booths from local vendors. Mayor Stoeber invited our residents to get involved. If you would like to volunteer, please contact the City Clerk.

Mayor Stoeber congratulated our neighbors, the City of Highland Heights. On this Saturday, July 31st, they are dedicating their new city building at 176 Johns Hill Road. It is a beautiful building with wonderful grounds.

Campbell County has announced a series of repairs to Dodsworth Lane. Because the bridge at the lower portion of that road will be replaced, it will be closed to thru traffic as early as August 1st and it could be closed as long as sixty days for construction, so keep that in mind if you normally travel that route.

There will be a drawing for an American flag and pole for a resident staying until the end of this meeting.

Mayor Stoeber also welcomed two special guests, Senator Katie Stine and Representative Joe Fischer. Both are actively involved in an agenda item tonight, and he thanked them both for attending.

The minutes of the July 12, 2010 special council meeting were reviewed by all. Stuart Oehrle made a motion for approval and Lou Gerding seconded the motion. Dave Guidugli requested a change in the third paragraph, to read the fourth Monday of the month instead of the fourth meeting of the month. All were in favor of the minutes as corrected. Motion carried.

Mayor Stoeber welcomed scheduled guest, Glen Elsener, who was speaking on behalf of the residents petitioning for a traffic light on the AA Highway at Glenridge Drive and Ivy Ridge Drive.

Mr. Elsener reviewed the past history of the two developments, and he pointed out the new developments, restaurants, and businesses that have been built along the AA Highway since the previous traffic light request in 2004. Traffic density has increased proportionately. Now most of the residents feel that the intersection is death-defying. In 2004 the number of residents in both Glenridge and Ivy Ridge has increased. Because of the Ivy Ridge development, the center median was removed and replaced by turn lanes that have become an impetus for a potential head on collision. Many residents will only turn right and work their way around the AA Highway to avoid the left turn.

Mr. Elsener put together a packet which includes 110 responses from residents supporting the request for a traffic light. He also presented data collected on a survey on the number of drivers in the developments now, and the projected number of drivers in two years. He stated that when school is in session, the amount of traffic and drivers increases by a large percentage. There are also obstacles, such as the telephone pole near Ivy Ridge and the dip in the road near the Brookstone Apartments, that inhibit view of the roadway. The Cold Spring Police do an incredible job on the AA Highway with the speeding traffic, which does slow down in their presence, but it doesn't stick when the police are not there. The consensus from the residents is that a properly programmed light would allow for better entrance onto the AA Highway and help reduce the average speed of the traffic at the top of the hill. There is major concern about truck traffic being stopped at the top of the hill, but in doing some measurements, the hill actually breaks a quarter of a mile away from the intersection, and at an eighth of a mile it is virtually level. This would give ten semis fifteen feet of spacing without being down on the steeper part of the hill.

Mr. Elsener thanked the mayor and council for their support in 2004, and asked the city to do so again and get the Highway Department's attention. He stated that if we can get a traffic study done, he hopes it will be when school is in session because traffic picks up quite a bit when that happens.

Mayor Stoeber thanked Mr. Elsener and all of the attendees present tonight from the Glenridge and Ivy Ridge developments. They have done their research, and have been very respectful and logical. To be so involved is the true definition of citizenship. This is how government should work and how communities should work. They have communicated with Chief Burk and Lieutenant Hall many times. The police department welcomes that interaction. That community awareness breaks down the barriers of the police and the community when they become involved in the safety and security of their neighborhood.

Mr. Elsener pointed out that this wasn't the effort of just one person but many from both Glenridge and Ivy Ridge residents who have offered help and support in one way or another. They provided a resolution for their packet. Flyers were passed and everyone was informed. Mr. Elsener added that out of the 110 positive responses, he did receive two e-mails from residents who don't want a light there. Mr. Elsener asked that we add a city letter to include in the packet to Mr. Hans of the Department of Transportation.

Mayor Stoeber stated that Mr. Elsener has raised some very good points. In 2004, Senator Stine, Representative Fischer and the city were in full support of a traffic signal. A packet was put together including civic response with endorsement letters, accident statistics, resident and developers letters, and a resolution. Three months later we received a denial from the Department of Transportation with the reasoning that the trip count was too low, and there just wasn't enough traffic going down the AA Highway. The Highway Department chose to put up flashing lights instead.

State Senator Katie Stine thanked Mr. Elsener also for all of the work and research done. She commended the mayor and council for the fabulous job in the growth of our city. With the growth there are also challenges, and she and Representative Fischer are always willing to help ease those growing pains. They have done the work on this traffic light before. When she received a call from Mr. Vank on the Mayor's behalf, she immediately phoned Mr. Hans, district engineer for the Department of Transportation and he stated that they would get right on it. There is a long and involved process in determining the safety pros and cons. They are the experts and we have to trust their expertise and judgment on these matters, because they do this all over the state. Senator Stine stated that already this work has paid off because the process has begun. The work presented tonight is a great support and they have made a case that will certainly be a part of that analysis. Senator Stine stated that she appreciates Mr. Elsener calling her on behalf of the residents and letting her and Representative Fischer be involved in this.

Representative Joe Fischer stated that he also appreciates being called. This is the way that local government is supposed to work. You are supposed to contact your local government. It also helps him to listen to some of the concerns that have been expressed here. Ten years ago, Poplar Ridge had a flashing light and at that time they petitioned the state, and they did change that to a full traffic signal. Just by listening and remembering that, we need to ask the State Highway Department to look back in their records and see what the traffic count was there and compare it to what the traffic counts are at this intersection now. It is also a good point to make that we not conduct these traffic counts until school starts, otherwise the data becomes skewed against us. He appreciates all of the work that has been done, and if we do a smart approach, we may be successful this time.

Councilman Stuart Oehrle added that he lives in the Glenridge Subdivision, and he received phone calls from some residents in Shadow Lake, who want the traffic light just to break up the traffic so that they can turn left. It would be a good idea see if we can get something from the Shadow Lake Association supporting this as well. He stated that there are multiple dynamics in that area that we need to convey for the traffic studies, with Shadow Lake residents and Glenridge residents within a few thousand feet of each other all trying to turn left. He commented that every traffic light going down the AA Highway is a result of a death and he doesn't want a light just because someone had to die for it; he wants the light to prevent that from occurring.

Dave Guidugli asked if Senator Stine or Representative Fischer knew where the State was in doing an east / west connector towards Alexandria, to keep all of this traffic from coming north in the first place. Alexandria has a large development that may be starting soon and if that happens, no matter how many traffic lights we have, we will not be able to handle all of that traffic coming this way to get to I-471 and I-275. Representative Fischer stated that as far as he knows it is in the six year plan, but it has never been funded and any part of the plan beyond the two year budget period is unfunded and is just a plan. Katie Stine stated that it would be important for local governments and the counties involved to speak up and let them know that they are in accord for moving this forward. Since it is part of a cross-county road, we need to find out where Kenton County stands on this. Everyone needs to be on the same page.

Mayor Stoeber stated that we can take tonight's presentation and use it as a model. Maybe we can get Campbell and Kenton Counties and the locals together to do something very similar. Because money is immensely tight, you have to ration your dollars based on logical need, and we need to show the state that there is a solid justification and a solid need.

Mayor Stoeber stated that he would like to coordinate with Senator Stine and Representative Fischer and the city offline, to see what the best way is for the information to flow in order to get this light on the AA Highway at Glenridge and Ivy Ridge. He said we need to determine if it would be better for us to pull it together and send it to the Department of Transportation directly, or do something else. This issue is urgent and important. Mayor Stoeber thanked everyone for being here and stated that we will do our part. Thanks again to both Senator Stine and Representative Fischer for being here.

A resident questioned if the city would take any type of action tonight for this traffic light request. Mayor Stoeber stated that we did act on a petition in 2004 and can also act on it tonight. Council made an addition to the agenda, under New Business, Item D. – Updated petition for a traffic light.

Ordinance 10-968, amending the Cold Spring Personnel Policy was read in summary form for the second time. Rob Moore made a motion to adopt this ordinance, and Stuart Oehrle seconded the motion. Roll call vote showed six yeses and noes. **Motion carried.**

Ordinance 10-969, dissolving the Municipal Properties Corporation was read in summary form for the second time. Mayor Stoeber gave a review and stated that many years ago, the state government was wrestling with the idea on how a municipality could own property, buildings and get financing, and so they developed an elaborate system of corporations for cities. Over time, realities have caught up and the K.R.S. laws don't deal with it anymore. We are just abolishing a corporation that we have that only has \$169 in it. Sandy Ross made a motion to **adopt this ordinance**, and Stuart Oehrle seconded the motion. Roll call vote showed six yeses and noes. **Motion carried.**

Mayor Stoeber gave background on the next item on the agenda, which was **approval of the bids for the 2010 / 2011 Street Program**. In 2004 City Council and Mayor Stoeber put together a fifteen year strategic plan for the city, and even with the current recession, our strategic plan has held. Part of that strategic plan is to put a significant investment in city streets, which are phenomenally expensive. The plan was to put together five phases of street replacement expenditures of about \$1 million to \$1.5 million every three to four years. We are now entering phase three. We went out for bids and we will resurface a couple of streets with asphalt, which will begin tomorrow. We have also gone out for bids on concrete reconstruction. Council and finance got some very favorable, virtually interest-free financing. Because we are in decent financial shape, we are actually going to spend about \$2 million to replace twelve streets or portions of them over the next twelve months. That is a significant investment of your tax dollars being used for the well-being of the city. Because of the difficult economy right now, contractors are extremely aggressive. Council has five bids before them for twelve streets, ranging from \$1.4 million to \$1.8 million. Our finance and public works committees met tonight before this meeting to review the bids.

Stuart Oehrle made a motion to **approve the bid from JPS Construction for \$1.418 million**. Rob Moore seconded the motion. Lou Gerding questioned the feasibility of JPS being able to complete all twelve streets during this construction period.

Mark Brueggeman, engineer for CDS, stated that it was possible for JPS to complete them, some this year and some will probably not be done until next year. He stated that the last thing they wanted to do was to make the bidding and construction time so short that it would prohibit some people from bidding it. They wanted to make it as enticing to contractors as possible in order to achieve the best possible bids. Mr. Brueggeman stated that he would definitely recommend the award of the contract to JPS. JPS Construction has indicated that they are committed to start on the streets and get a number of them done. They say that once they start on a street, they will stay and finish it. Because the contractors are very aggressive with their bids due to the economy, we are seeing approximately twenty percent savings over prices in 2008. That is a huge savings and he commended the City for going out and getting some financing and being creative in maintaining the city's infrastructure and that is really top notch. Financially this is a very good deal for the city and the citizens of Cold Spring.

Lou Gerding verified that CDS has enough people on staff to inspect and oversee this project. Mr. Brueggeman stated that they also have Thelen and Associates to test the concrete and make sure we are getting the proper strength as well as testing of the subgrade before the pavement is put down. It is important to emphasize that they have developed a pavement section for the city that is going to last longer than the original streets that were put in. The difference is that they are putting in another drain system along with a drainage blanket underneath the pavement. Historically they have found that streets that have problems in this area are almost always due to subgrade ground water getting into and deteriorating the subgrade. With the underdrains and a drainage blanket they can control the ground water and the surface water from getting into the subgrade.

Dave Guidugli questioned if they have formulated a list of the streets that they are going to do this year and next year. Mr. Brueggemann stated that they set a priority list with the contractor at the determination of city staff, showing which streets they wanted to do first.

Stuart Oehrle verified that CDS Engineering will also be inspecting the blacktop work being done in Glenridge and Ridgepointe. That job also came in with low bids as well, which is why we can do all of this.

Lou Gerding stated that the strategic plan was for about \$1 million to be spent every three or four years on the street project. If we do this \$2 million street phase, he verified that another street project phase may or may not happen depending on how the financing is at that time. Mayor Stoeber stated that the phases are merely guiding posts and not facts. In past phases we have only done seven or eight streets; now we are doing twelve. We are actually doing some of the streets that were designed to be done during a later phase.

Stuart Oehrle questioned if some of the streets may go into the next fiscal year since they have until July 30th. Mayor Stoeber stated that they will be done during this fiscal year. Stuart Oehrle stated that if we can get the most bang for our buck now, this is the time to do it and get more streets done now. It makes more sense, especially with the interest rates we were able to get.

Roll call vote showed six yeses and no noes. **Motion carried.**

The next item is the addition to tonight's agenda. Lou Gerding made a motion to pass **Resolution 10-05, which updates Resolution 04-03 to petition a traffic light on the AA Highway at Glenridge and Ivy Ridge Drives.** Stuart Oehrle seconded the motion. Stuart Oehrle verified that once we get this Resolution, it will go with the packet, and we will coordinate with Senator Stine and Representative Fischer on sending it to the Department of Transportation. We want to time it so that they won't show up the first of August before school starts, rather than the end of August.

Sandy Ross requested that there be a cover letter for all council to sign to show that we are all united in support of this, and to show our respect and support of all of the residents that we represent.

All were in favor. **Motion carried.**

Departmental reports were reviewed.

Ed Burk stated that he hopes everyone knows who their neighborhood focus officers are, and to please call or e-mail them. It is a cooperative effort. We need your help as much as you need ours. If you see something, please call us right away and let us know what is going on. Don't wait until two weeks later. See it – Call it. The number for Campbell County Dispatch is 292-3622. The police department website is www.coldspringpd.org. Mayor Stoeber stated that you can also sign up for our alert list, called Nixel which will feed into your computer. You can see where you fit into the grid of the city, find your focus officer along with his picture, e-mail address, and cell phone number. We would like for you to get to know your police officers.

Stuart Oehrle stated that school starts on August 18th. Watch out for the school kids. Sandy Ross added that when caution lights go on, slow down at the schools. Many drivers don't abide by that. Use caution and watch out for other people. Chief Burk stated that our officers will watch for and enforce that issue.

Brenda Helton commented that our residents are really having a great response on paying their property taxes this year. Mark Stoeber stated that about one third of the city's revenues come from property taxes. It is good to send out a property tax bill but it doesn't do anything for you unless it gets paid. Most cities will lose anywhere from four to nine percent in delinquencies and that drops your revenues by that amount. The response from Cold Spring property owners has been phenomenal.

Stuart Oehrle stated that he did get the form for Yard of the Month for the website, and he will work on making it an online report as requested.

Mayor Stoeber thanked the Parks, Recreation, and Tree Commission for their hard work on the Cruise in / Concert and Yard of the Month. Volunteers are welcome.

Sandy Ross stated that when we talk in Caucus about the interlocal agreement, she would like to see if a copy of their budget could be included in the packet of information. Dave Guidugli stated that he will make sure that is taken care of.

Dave Guidugli stated that we do have two openings on Planning & Zoning if anyone is interested in joining. We would be happy to have someone step forward.

Mayor Stoeber thanked Glen Elsener and the residents from Glenridge and Ivy Ridge for attending. They provided great dialogue and showed respect and interest. He wishes more people would come in and have this type of conversation.

The winner of the American flag and pole was resident Steve Goderwis.

Lou Gerding made a motion to adjourn the July 26th meeting, and Stuart Oehrle seconded the motion. All were in favor. Motion carried.

Approved:

City Clerk:

Mayor: