

City of Crescent Springs
Regular Council Meeting Minutes
April 8, 2019 - 7:00 pm

The regular meeting of the Crescent Springs City Council was called to order by Councilwomen Christie Arlinghaus at 7:00pm due to the Mayor not being available for the meeting. The meeting began with a prayer led by Christie A followed by the pledge of allegiance.

Roll call showed the following council members present – Chad Longbons, Vince Albanese, Carter Dickerson, Christie Arlinghaus, Patrick Hackett and Bob Mueller. Also present were City Clerk April Robinson, City Administrator Mike Daly, City Attorney Mike Baker, and Dewey Krohman of Public Works.

SENATOR CHRIS MCDANIEL – LEGISLATIVE UPDATE

Senator McDaniel updated council on the Legislative updates from the most recent session.

- The filing deadline at the end of January has been moved up to the first Friday after the state legislative session.
- SB 202 – the Convention Visitors Bureau has been restructured.
- The Department of local government had changed its formula for funding area development districts. This severely disadvantaged the NKADD. The legislature clarified how NKADD was going to be funded.
- There was a big issue with the new sales tax law on admissions. This law has been repealed for admissions and fundraising sales for all non-profits. Municipal Governments will no longer charge tax for renting shelters or community centers.
- SB 4 requires electronic filings for members of the general assembly. This is for the members financial reporting. Hardcopies of financial reports were being submitted at the last minute with no chance of someone being able to enter them into a computer before the election. Bill eliminates people being able to “hide” their donors prior to election.
- SB 1 – School Safety – putting more officers and mental health counselors in schools
- SB 6 – Cleans up the executive branch ethics code
- SB 31 – Requires sibling groups in foster care to be able to visit each other if separated
- SB 70 – Makes strangulation a Class D felony
- SB 7 – Clarifies the arbitration can be used as a condition for employment
- SB 148 – Disposal of excess property
- SB 89 – Creates a method of financial recovery for cities cleaning up meth houses
- SB 104 – Fire Departments cannot use Class B foam for training
- SB 140 – Provides a grant program for HEP A vaccinations or fire fighters
- SB 230 – Allows email and fax requests for open records requests
- SB 131 – DNA evidence to be used in a criminal trial must be held until after the trial
- HB 69 – Allows more flexibility for local investments (City funds)
- HB 26 – Amends local purchasing authority raising the bid requirement and advertising to a purchase amount of \$30,000 from \$20,000

- HB 49 – deals with retirements of elected officials. Someone can no longer get elected to a position, retire and come back to the position. This would be a pre-arranged agreement.
- HB 141 – Surplus property acquired through asset forfeiture. Receipts go into a restricted account
- HB 191 – Deals with revocation of Peace Officer Certification
- HB 240 - Deals with nominations of the judge executive and the time frames
- HB 335 – If selling something under \$5000 you do not have to get an appraisal
- HB 397 – Lets the Sheriff charge up to \$60 for requested services
- HB 339 – cleans up multiple city statutes to include the fact that cities can no longer hire city Marshals
- HB 337 – Deputy Sheriffs no longer have to reside in Kentucky

BROMLEY-CRESCENT SPRINGS ROAD UPDATE

Joe Schriver, Kenton County Administrator, addressed council on behalf of Judge Knochelmann. Mr. Schriver introduced Nick Hendrix, County Engineer.

Nick Hendrix gave some history on the Bromley Crescent Springs Road Project. The City of Crescent Springs, City of Fort Mitchell and Kenton County Fiscal Court applied for an SNK in the spring of 2013. The agencies were awarded the grant which deals with Anderson Road to Short Amsterdam. In 2015 there was a public meeting at River Ridge Elementary where GRW (design consultants) were on hand. A “preferred alternative” for the project was put together with information gathered at that meeting. In 2016 it was found that the cost of the “preferred alternative” (plans for reconstruction of the road) was a lot higher than the funds available for the project. This is a 6 million dollar project with a 1 million dollar local match provided by the Cities and County. GRW started working on a plan to bring the project back within the budget. It was discovered that the project would fall under SD1’s jurisdiction (MS4) due to the sections of the road being collectively owned by the cities and the county. The project would face a huge financial impact due to SD1’s quantity and quality regulations that went into effect after the grant was awarded. Kenton County worked with the transportation cabinet and arranged some road swaps. The state has taken over the road allowing the project to fall under state regulations instead of SD1’s MS4. There are four phases to the project. The design phase, right-of-way phase, utilities relocation phase and construction phase. In August 2018, GRW was brought on to handle the right-of-way acquisition. The utilities relocation phase began in March 2019 and it is being handled by HW Lockner.

Patrick Hackett asked if a round-a-bout was still included in the plans and he also asked about the location of retaining walls. Mr. Hendrix replied the round-a-bout is no longer in the plans and the majority of retaining walls are located on the right side of the road if traveling Anderson from Buttermilk. The appearance of the retaining walls are unknown at this time. The Judge and both Mayors would like walls that are pleasing in appearance.

Patrick Hackett asked if the road would be closed at any time due to the replacement of the two bridges. He added that the city has economic interest from the lower half of the road as well as safety issues such as access for police and fire. Mr. Hendrix explained that the road would be closed in halves. The upper half and lower halves will be closed at separate times.

Patrick Hackett asked about the drainage near the Emerald Springs entrance. Mr. Hendrix explained that GRW has addressed the issue and the new drainage area has been sized appropriately.

Patrick Hackett stated there used to be a flashing light at the intersection of Anderson and Bromley Crescent Springs. He asked if there were plans for a turn lane there on Anderson Road. Mr. Hendrix stated there will be no turn lane or other improvements to Anderson Road.

Chad Longbons asked about the speed limit on Bromley Crescent Springs Road. Mr. Hendrix replied that the speed limit is currently 35MPH. The plans show a 30MPH design speed, but the speed will be 35MPH after construction is completed. The speed limit is set by KDOT (Kentucky Department of Transportation).

Christie Arlinghaus asked when the road would be closed. Mr. Hendrix stated it would be closed at time when it would least impact school traffic. Construction will begin early next spring and be a two season project.

Debbie Taylor with HW Lockner addressed council. She said that her company received authorization in August 2018 to begin the property acquisition process. Letters were sent to everyone impacted. Their next step was to identify priority parcels (parcels where relocation is involved), utility issues etc. Appraisers are then sent out to visit the property owners impacted. They will discuss plans with the property owners and conduct a site inspection and property evaluation. These evaluations are submitted to a second level reviewer. After passing the second level the evaluations are forwarded to the Kentucky Transportation Cabinet for a 3rd and 4th level review. Upon completion of this process the property owner is given a fair market value offer. Ms. Taylor mentioned that there were three property owners who will be relocated due to the needs of this project.

Patrick Hackett asked if the Short Amsterdam Sidewalk project would run concurrently with the road project. Mr. Hendrix explained that Palmer Engineering was handling the sidewalk project and it would be unlikely that the projects run concurrent.

Carter Dickerson asked if the right-of-way on the road was shrinking. It was explained that it was not. The project is actually widening the area for the new road and an addition of an 8ft wide multiuse path.

Carter Dickerson asked if any trees or shrubs were going to be replaced due to the removal for road construction. Ms. Taylor answered that the property owner would be compensated for the removal of any trees or shrubs and it would be up to the property owner to replace them.

Ms. Arlinghaus permitted residents to ask questions regarding the Bromley Crescent Springs Road project.

Mr. Tim Flynn of 2103 Clareglen Unit 301 addressed council. He asked that council, as a representative of the residents, to keep in mind that the buffer between the road and the units in Emerald Springs was placed there for a reason. It was added in order to hide the lights from the

road and provide seclusion. Mr. Flynn also expressed concern over the water that could possibly end up in the Emerald Springs Creek if state standards were used instead of those of SD1's MS4. He requested sod be placed on the new hills after construction as well.

Ms. Dot Kloeker of 2097 Clareglen Unit 201 spoke next. She discussed the appraiser's findings and explained that Henry Fischer owns property the Emerald Springs HOA believed belonged to them when the transfer from the builder to the HOA took place. Parcels 9 and 11 as well as Edenderry and Clareglen are still listed as being owned by Henry Fisher. She explained that the Emerald Springs HOA is unable to proceed with the appraisers until the issue is resolved.

Ms. Kloeker asked if there could be any temporary lighting put up at the entrance to Emerald Springs since their lighting will be removed with construction. She said there is no light in the area and with the removal of the Emerald Springs lighting the resident will not be able to see (the intersection of Emerald Springs and Bromley Crescent Springs Road). She also asked if the walkway in Emerald Springs was going to be taken out completely.

Mr. David Boyle of 2136 Longford addressed council. Mr. Boyle stated that the entrance to Emerald Springs is a safety concern. He asked if there could be a four way stop for the intersection.

Mr. Hendix approached council to answer the residents' questions.

Mr. Flynn's questions were addressed. There are federally regulated MS4 districts. The project is in the SD1 district. The KYTC operates under their own MS4 which will be used for this project. Mr. Hendrix didn't see any cause for concern by switching to KYTCs MS4. There is a rigorous review process where all of the approvals will go through the Kentucky Division of Water and the Army Corps of Engineers. The water runoff will probably be more concentrated in areas than it is now, but it will be directed with the addition of curbs and gutters. Mr. Hendrix said they would take a look at what the berm would look like after construction and take that into consideration.

Ms. Kloeker's questions were addressed. The issue with Fischer Homes and the Emerald Springs HOA will have to be worked out between those two parties. HW Lockner has conducted a title search on the involved properties in order to find the current listed owners. Fischer Homes received the same letter as the residents. The temporary lighting for the intersection of Emerald Springs and Bromley Crescent Springs will be answered by the contractors.

Mr. Boyle's question was answered. Mr. Hendrix stated that the transportation cabinet did not entertain the idea of a four way stop and it is not included in the project plans.

Ms. Taylor explained that the HOA will be compensated for the wall and landscaping (at the entrance to Emerald Springs) in the appraisal. She went on to tell the HOA that they may want to discuss the need for temporary lighting during negotiations of the appraisal.

The plan for the new road includes 2 to 1 slopes which Mr. Tim Flynn was concerned about. Geo - technologies is a subcontractor for the project. They completed hundreds of core samples to determine stability and there should be no issues.

- A K-9 training summary will now be included in the report. The new K-9 is named “Oynx”
- The department will begin writing more tickets due to the speeding issue, warm weather and school zone

PUBLIC WORKS REPORT

Dewey Krohman reported the following:

- Park was opened April 1st
- Shelters have all been cleaned
- Shelter rentals are coming in
- Plows and spreaders have been removed from the trucks
- Salt bin has been filled – about 150 ton of salt was used this winter
- Easter Egg Hunt will be this weekend. The event banner has been put up along with decorations in the park
- Rugs were cleaned in the City building this past Friday
- The new dump truck should be delivered at the end of April
- Mike Schill is being sent to Road Scholar classes. There are a total of nine and he should have them completed by June.
- Poles arrived today for the radar signs. It will take a couple of weeks to get them sanded and painted. The department will get with the Mayor to determine the locations where they will be installed.

Christie Arlinghaus asked about the police side of the building. Mr. Krohman responded that they have been cleaning the basement and shower regularly.

Carter Dickerson asked about the status of the restroom project. Mr. Krohman responded the department is getting ready to work on it. A sanitation and water line need to be run. The water department will need to install a meter for the new service. The partitions and sinks need to be installed and the interior needs to be painted. Mr. Dickerson asked when the project would be completed and Mr. Krohman said it would depend on when they could get the plumber out to do the job.

Carter Dickerson asked about the status of the new restroom in the park. Mr. Krohman stated that the sanitation and water needed to be run and connected. A water meter for the structure and a water fountain need to be installed. The partitions and the sinks need to be put into place as well. The completion date of the restroom will depend on the weather and the plumber.

Carter Dickerson asked about the Charters of Freedom monument. Mr. Krohman said the department will work on both the monument and the restroom at the same time although they will focus more on the restroom project completion.

CITY ADMINISTRATOR

No report.

MAYOR’S REPORT

There will be a sidewalk that is cut off due to a new 3 to 1 slope. There will be a connection to another Edenderry sidewalk to the multiuse path.

Mr. Hendrix will return at the beginning of August to update City Council on the progress of the project.

APPROVAL OF MINUTES

Chad Longbons made a motion to approve the minutes of the **March 11, 2019 Regular Council Meeting**. Patrick Hackett seconded the motion. **Motion passed unanimously.**

Chad Longbons made a motion to approve the minutes of the **March 15, 2019 Special Council Meeting**. Vince Albanese seconded the motion. **Motion passed unanimously.**

FIRE AUTHORITY REPORT

The report was distributed to council.

- 103 squad runs for the month, up 50
- 59 fire calls, up 36
- Both Villa Hills and Crescent Springs Mayors were sent an email regarding the new fire house. The fire authority was hoping to get some builders on the committee for the new fire house discussions but they have been advised by legal counsel that any builder on the board will not be able to bid on any part of the process.
- There was a garage fire with an explosion Thursday night as well as an incident with a tanker truck overturning.

FINANCE REPORT

No report.

POLICE REPORT

The police report was distributed to council.

- 580 runs to Crescent Springs
 - 19 total crimes
 - 15 collisions
 - 91 citations
 - 80 Courtesy notices
 - 7 call responses
 - 1 Assault
 - 2 burglaries
 - 4 larceny – several cars broken into at LA Fitness. There is film of the suspects and the department is hoping to identify them
 - 1 robbery
- Most accidents occurred on Buttermilk Pike followed by Anderson Road
- The new barrier on Buttermilk near Anderson has resulted in a high number of U-turns. This cannot be enforced unless a “No U-Turn” sign were to be installed by the state
- 94% closure rate on crimes

No Report.

OLD BUSINESS

Attorney Mike Baker conducted the **second reading of ORDINANCE 2019- 1: ADOPTING THE 2019 S-28 SUPPLEMENT FROM AMERICAN LEGAL PUBLISHING**

Vince Albanese made a motion to approve **Ordinance 2019-1**. Bob Mueller seconded the motion. All were in favor. **Motion passed.**

NEW BUSINESS

Attorney Mike Baker conducted the **first reading of ORDINANCE 2019-4** Vacating lot 1A of section 1 of The Reserve of Meadow Wood II

COMMENTS

Christie Arlinghaus explained that the City’s website needed to be updated due to having three new council members. She announced that pictures would be taken at the May Council meeting.

ADJOURNMENT

Vince Albanese made a motion to adjourn. Bob Mueller seconded the motion. All were in favor. **Motion passed.** The meeting was adjourned at 8:46pm.

ATTESTED BY:



April C. Robinson, Clerk/Treasurer



Lou Hartfiel, Mayor

Approved: May 13, 2019