

**CITY OF EDGEWOOD**  
**SPECIAL COUNCIL MEETING MINUTES**  
**August 11, 2008**  
**6:30 PM**

**CALL TO ORDER** – Mayor Link called the meeting of the Edgewood City Council to order at 6:30 PM in the council chambers of the Edgewood City Building. The following council members were present: Nancy Atkinson, David MacMillan, Dale Henson, and Ray Spears. Also in attendance were City Administrator Roger Rolfes, City Attorney Frank Wichmann and City Clerk Jeanette Kemper. Mark Steffen, Jeff Schreiver, and Chris Link were absent.

**PLEDGE OF ALLEGIANCE**

**STAFF REPORTS** - Council reviewed reports from the following staff members: City Administrator, City Clerk, Fire/EMS, General Services, Police, and Recreation.

**APPROVAL OF MINUTES** – July 21, 2008 Meeting Minutes – Mrs. Atkinson made a **motion** to adopt the July 21, 2008 meeting minutes as written; second by Mr. Henson. **Motion passed: 4 ayes – 0 nays.**

**CANCELLATION OF SEPTEMBER 1<sup>ST</sup> COUNCIL MEETING** – Mr. Henson made a motion to cancel the September 1<sup>st</sup> council meeting due to the Labor Day holiday; second by Mr. Spears. **Motion passed 4 ayes – 0 nays.**

Councilmember Chris Link arrived.

**PARKING ORDINANCE AMENDMENT** – due to the recent issuance of parking citations in St. Pius’ parking lot for not parking in marked/designated parking spaces the staff and council have decided to review the parking ordinance and make changes where needed. Chief Kramer reviewed the following sections and recommended the following changes:

The ambiguous wording in §72.02 (E)—Manner of Parking is the reason for some of the issue at Pius. That section states that no portion of a vehicle “shall extend beyond the lines marking the side or the rear of the space assigned for one vehicle.” The only place where parking spaces are delineated by lines would be in public access lots. There is a specific section for public access lots, §72.08—Parking on Off-Street Facility, so this should probably be moved there. As far as the wording goes, Chief Kramer suggested that the ordinance read that parking is only permitted in designated spots; council agreed. Mr. Rolfes asked council to think about if “park in designated spaces only” signs should be placed in parking lots. It would cost approximately \$50 per sign and the city could provide them.

Also in §72.02, in subsection (A), is a prohibition against parking facing in the wrong direction. Similar wording is also included in §72.03(I). This is a subsection that is often violated throughout the city, and is one the police have not routinely enforced. Chief Kramer said he’s not familiar with the rationale behind this prohibition and questions if this needs to remain in the ordinance. If council determines it should remain, he would have no objections. Mr. Henson said he was okay with it either way but if we’re going to leave it in then it needs to be enforced. There were no other comments.

§72.03(F) prohibits parking within 20 feet of an intersection. However, §72.13(A) designates 50 feet from each intersection (on both sides) as a fire line with parking prohibited. This is obviously contradictory, and there should be consistency. Also, on some of the shorter cul-de-sac streets, removing 50 feet from the available space will severely limit people's ability to find adequate parking. Chief Kramer suggested getting input from the Fire Department to get the minimum space necessary for their trucks to make turns and set that as the standard. He also suggested that we paint the curbs indicating where it is legal and illegal to park. Captain Dickman said the fire department would prefer to keep it at 50 feet. It was agreed to keep it 50 feet on the streets that are less than 25 feet wide and make it 25 feet for the streets that are at least 25 feet wide. Mr. Rolfes suggested that the fire department make a list of streets that need more room and advise us of those. It was also agreed to mark the areas with signs not paint.

§72.06 prohibits parking over 24 hours. Chief Kramer assumed the reason was to prevent people from essentially abandoning their vehicle on the street. However, he thinks 24 hours may be a bit short of a time frame. If you have a household that has multiple vehicles, and one is used primarily for commuting to work, it is conceivable that the car may get parked on the street on Friday afternoon and not get moved until Monday morning. This obviously violates the 24-hour rule, but is probably not something you want tickets issued for. He suggested we either lengthen the time frame or consider wording that prohibits leaving a vehicle on the roadway in such a manner that indicates the vehicle is abandoned. This, though, brings up the issue of ambiguity and what indicates abandonment. Council agreed to change it to 72 hours.

§72.36 deals with Snow Emergencies. This has been a hot topic over the years with people complaining when they get tickets, and others complaining when it is not enforced. Chief Kramer had no specific recommendation for this section, but thinks council should look at the intent behind it and determine what it should say and how it should be enforced. Council agreed to set a specific time period once the emergency has been declared to give people to move their vehicles before enforcement begins; no time limit was set. Mrs. Atkinson suggested putting an article in the fall newsletter advising residents that when a snow emergency is declared they'll have a certain amount of time to move their vehicles. Chief Kramer asked General Services Director Stan Goetz a time limit suggestion. Mr. Goetz thinks it should be at the discretion of the police officer.

A draft ordinance will be prepared for the next meeting for review.

**MUNICIPAL ORDER 2008-06 declare RU2 Systems radar trailer as surplus property and dispose of it** – Chief Kramer stated they have purchased a new radar trailer and no longer have a need for this trailer and he seeks authorization to dispose of it in a manner consistent with Kentucky statutes. Another municipality is interested in purchasing it. If it is sold to another municipality we do not need to accept sealed bids for it like the agenda states; we could just transfer it. Chief said he would be happy if we could get \$500 - \$1000 for it. Chief Kramer said he would obtain an offer from the municipality and present it to council. Mr. Henson made a **motion** to adopt municipal order 2008-06; second by Mrs. Atkinson. **Motion passed: 5 ayes – 0 nays.**

**EMERGENCY ORDINANCE 2008-08-10 revised School Resource Officer Interlocal Agreement** – Mr. Wichmann stated that the reason for doing it again was that the City of Crestview Hills decided that they did not want to sign the agreement but they will pay their share. There needs to be a correction to section 5.3 of the agreement that states that if additional cities want to participate and pay additional funds it is currently written that those funds are

credited equally to the Cities of Erlanger and Edgewood and that is incorrect. The City of Erlanger's contribution should be reduced by 1/3 not ½ of those contributions. Kenton County School District's name should also be included in the title of the ordinance. Mrs. Atkinson made a **motion** to adopt ordinance 2008-08-10; second by Mr. Spears. **Motion passed: 5 ayes – 0 nays**

**ORDINANCE 2008-08-11 Adopt fire code** – Captain Tom Dickman stated the purpose of this ordinance is to give the authority of the enforcement of the fire codes back to the fire department through its collection of inspection and violation fees. Currently, the fire department is a deputized fire marshal and we do have the KRS to cite for violations however, it has become problematic for them when it comes to enforcing the codes and having some of the businesses comply with the enforcement. They have had problems collecting those fees and they're requesting that they become a non-deputized fire department. They'll still have the same support of the State Fire Marshall Office as well as adopting the NFPA 1 Fire Code. They would have the ability to enforce the fire codes through their violation process. The term "designee" could not be added to the ordinance; enforcement can be done by the Fire Chief, Firefighter/EMT/Inspector, or citation officer.

Mr. Wichmann read the ordinance for first reading and added Fire Chief in the title of the ordinance: AN ORDINANCE OF THE CITY OF EDGEWOOD, IN KENTON COUNTY, KENTUCKY, RELATED TO FIRE SAFETY BY: (1) INCLUDING IN THE AUTHORITY, POWERS, DUTIES AND RESPONSIBILITIES OF THE EMPLOYMENT POSITION OF FIRE CHIEF, FIREFIGHTER/EMT – FIRE INSPECTOR, THOSE OF A CITATION OFFICER; AND (2) MAKING BOTH: (a) THE MOST CURRENT VERSION OF THE 2006 EDITION OF THE NFPA 1 UNIFORM FIRE CODE; AND (b) THE KENTUCKY STANDARDS OF SAFETY (FIRE PREVENTION CODE) A PART OF THE PERMANENT RECORDS OF THE CITY, AND ADOPTING THE PROVISIONS THEREOF BY REFERENCE.

**08/09 Property tax rate discussion** – Mr. Rolfes said the NKADD figured our tax rate for 08/09. He took the estimated property tax revenue and increased it by 4%, not based on the 4% allowable rate increase, but based on the estimated increase of values that he was given by the P.V.A. These values were noncertified values because they had not yet been approved by the state. Mr. Rolfes used a number slightly less than the 4% increase since 4% would have amounted to \$1,819,584.00; he used \$1,800,500.00. From what they are saying on the calculations prepared for us by the Area Development District based on the certified tax information, our compensating rate would be 23.1 cents and our maximum allowable rate would be 24 cents, which would include the 4% increase that we do not take. Our current property tax rate is 25.6 cents. If we use the compensating rate, we will be \$91,200.00 less than projected in the budget. If you use the maximum allowable rate, we are still going to be looking at a projected deficit of \$24,600.00. The whole city was re-assessed this year and won't occur again for another four years. The projected payroll tax for the current fiscal year is \$3,176,400, last fiscal year we actually ended up collecting \$3,087,787.00, so that is only an increase of \$166,000.00 but this may help make up some of the difference with property tax collections. Council agreed to adopt the rate of .240 per \$100. A special meeting was scheduled for August 25<sup>th</sup> at 6:30 p.m. for first reading; second reading will be at the regularly scheduled meeting for September 15<sup>th</sup>.

**ALS Fees** – Mr. MacMillan stated that the Erlanger Fire Department and their ALS service provides a top notch service to us. He stated he is concern about how information was

disseminated about the ALS fee increase that Erlanger was going to go ahead and do it, bill us and we paid it and now it's changed again. He read an article in the Kenton County Community Recorder regarding the changes. He said he was not made aware of it. Mr. Rolfes said he sent out a memo before first reading of the budget indicating that we had received a letter from the Mayor of Erlanger indicating that this would go up 50% and in the memo he indicated he would change the budget and the only flaw there was he didn't the budget. The fire department caught it after the budget was passed and they discussed how they would deal with the shortfall in the line item without the need for amending the budget. Shortly thereafter, he was contacted by Erlanger who realized that the Interlocal Agreement set a maximum increase of 5%. Therefore, they would only raise it 5% this year but they would be asking to redo the agreement giving them permission to increase because they had a number of items that were hitting them that they could justify the 50% increase; a good portion of it would be fuel costs. When Mr. Rolfes hears back from them he will notify council.

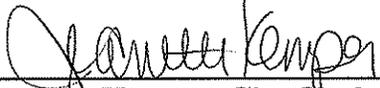
Mr. MacMillan is concerned that our partner, Erlanger, is saying take it or leave it; he believes they should have come to a council meeting and showed council the need for the increase. He said other people aren't happy about it either. He's concerned that we're not being treated like a partner. He feels that council wasn't properly notified. Mr. Rolfes said they would be more than happy to present the information to council. Mr. Rolfes believes it was in his 5/19/08 council meeting memo; he read it this morning but he'll look at it again and forward the memo to council. Mr. Spears said they probably have solid reasons for doing what they're doing; they do a great service and we're fortunate to have access to the services and an option from the county. Mr. Spears said this would have been a note worthy item to have discussion on versus a memo especially whenever we're going to be paying a 50% increase outside of an agreement that we had agreed to and in a bugetary type of item we approve all kinds of things and he thinks this one would have been more worthy of than just a memo that none of us got. Mr. Henson said if they did get it it wasn't apparently called out enough. Mr. Henson said even if it was in a memo it should have been brought before them and they should have had discussion on it. Mr. MacMillan said if Rumpke came to us wanting to raise the contract 50% and council wasn't notified then it would be a problem; we wouldn't do that for Rumpke and he doesn't see why we would do that for Erlanger. The partnership with Erlanger is a contract and both sides need to honor that contract. He said they didn't find out until August but the letter came out in May. Mr. Henson wants to see the letter from Erlanger; Mr. Rolfes will copy it for council. Where it stands now is we will pay the 5% increase this year and discuss the 50% increase next year.

#### **ANNOUNCEMENTS:**

- Community CPR Class - August 23<sup>rd</sup> at 11:00 A.M. in the training room.
- Brookwood Dr. – will be closed at Dudley from 8:30a.m. to 3:00 p.m. for 3 days beginning Aug.13 so the Sanitation District can complete their work. A detour will be posted.
- Gov. Beshear will be at Dixie Heights High School for a Town Hall Meeting on August 13<sup>th</sup> from 6 P.M. to 7:30 P.M.

**ADJOURNMENT**

Mr. Spears made a **motion** to adjourn at 7:55 p.m.; second by Mr. Link. **Motion passed: 5 ayes  
- 0 nays.**

Attest:   
**Jeanette Kemper, City Clerk**  
Date passed: 8/25/08

  
**Mayor John D. Link**