

**CITY OF EDGEWOOD  
COUNCIL MEETING MINUTES  
October 19, 2009  
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: Joe Messmer, Steve Jaeger, Dale Henson, Jeff Schreiber, Steve Middendorf and Ray Spears. Also in attendance were City Attorney Frank Wichmann, City Administrator Roger Rolfes and City Clerk Jeanette Kemper. Chris Link was absent.

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA** – Mr. Schreiber added Personnel Policies under New Business.

**APPROVAL OF MINUTES** – October 5, 2009 Meeting Minutes – Mr. Henson made a **motion** to adopt the October 5, 2009 meeting minutes as written; second by Mr. Messmer. **Motion passed: 6 ayes – 0 nays.**

**REPORT/PRESENTATIONS**

**Recognition of German Firefighters** – Edgewood Firefighter Mark Messmer stated that he and his dad, Joe Messmer, had visited Germany five years ago and met these firefighters while there; this is their fourth year visiting the city. Mr. Messmer introduced Chief Joerg Westenweller, Florian Westenweller, Phillip Merker, and Andreas Behr. Joe Messmer thanked Ted and Janet Arlinghaus for housing them every year. Joe also said their fire department in Berlin is all volunteers; no paid staff. Mayor Link presented them with a gift and thanked them for visiting again. Fire Chief Chris Amon presented Edgewood Fire shirts to the Chief and his son since this was their first visit. Chief Westenweller presented Mayor Link with a photograph of their White House.

**Mayor's Report** – Mayor Link stated Rumpke will be having an open house at their Butler facility on October 24<sup>th</sup>. Insight Communications has offered to the elected officials an opportunity to tape a 15 second holiday greeting. Taping will be November 11<sup>th</sup> from 1 pm to 4 pm; contact Maggie Wolf by November 4<sup>th</sup>.

**Administrator's Report** – Mr. Rolfes said the audit has been completed. The MD&A letter still has to be written; once that is complete it will be presented to council. He said council should be pleased to see the final numbers.

**CITIZENS DESIRING RECOGNITION ON LEGISLATIVE MATTERS NOT ON THE AGENDA** – none

**UNFINISHED BUSINESS** – none

**NEW BUSINESS – Personnel Policies** – Mr. Schreiber is in agreement with Mr. Messmer comments from the last council meeting that if someone is suspended without pay then they have done something very serious and they should not have access to this building or any of the workout equipment. He said if that is not in our policy then he would like to see it changed. Mr. Rolfes said when someone is suspended it is not always a serious matter. We have a policy that has helped reduce the frequency of auto accidents in which if a person is involved in an at fault auto accident and the total dollar exceeds \$200, they automatically get suspended for one day without pay. That is not necessarily a serious act but it does reduce the frequency. There are other reasons which can be considerably more serious. Mr. Henson doesn't know that they're being paid or not paid is what should dictate whether or not they should have access to this building. He thinks it should be related to the reason they're being suspended. Being in auto accident is not an issue; if it's for something more serious like embezzlement then they need to be locked out of our facilities. If they're in a supervisory capacity and have done something to put the city at potential liability for any type of employment claims, employer relations then we don't need to let them have access to the employees of which they're possibly being accused of some type of supervisory misconduct. Mr. Henson said it needs to be related to what they're doing. Mr.

Middendorf suggested that we use a structure that could be level one or level two based on the severity of the incident. An accident would be a level one and they would have access to the building; if it's something under investigation then it could be a level four and they would not be allowed in non-public areas. Mr. Messmer said it should include the public works building; Mr. Rolfes said that is a non-public building. Mr. Rolfes will draft a policy using levels of suspensions with examples explaining situations.

**ORDINANCES, MUNICIPAL ORDERS, AND RESOLUTIONS – Municipal Order 2009-12 adopting police policies** – Mr. Messmer made a motion to adopt municipal order 2009-12; second by Mr. Schreiber. Mr. Henson noticed the date on the policies was March 1, 2007 and asked why we are adopting these 2.5 years later. Chief Kramer said it was a housekeeping issue. They prepared the policies for accreditation and there is no requirement that they be adopted, it is a recommended procedure. Mr. Wichmann thought it was a requirement of the accreditation process to adopt them but it's not but he thought it would still be a good idea to have council adopt them. Mr. Henson asked if the date should be changed. Mr. Wichmann said the policies don't need council's approval to be effective for the accreditation. A copy was given to each officer electronically prior to March 1<sup>st</sup>. Mr. Henson asked if we have signed receipts from all officers stating that they received the policies. Chief Kramer said they have receipts from all officers who were employed at that time. Mr. Henson asked about officers hired since then; Chief Kramer wasn't sure. Chief Kramer said that these policies are a part of their field training making all of the officers familiar with them. The date will remain the same. Mr. Rolfes said to clarify the date in the municipal order itself and not the attached document.

Mr. Henson said the organization chart in chapter three needs to be updated. Chief Kramer said when these were submitted that chart was correct. Mr. Henson said that goes back to his original question; it now looks like the policies are two years old. Chief Kramer said a policy manual is a living document and he has some other minor modifications to the document as well.

Mr. Henson said in chapter 8 it talks about the budget process and it mentions the date to submit for budget submissions to the Chief is June 1<sup>st</sup>; that date is too late and needs to be changed to March 1<sup>st</sup>.

Chapter 10.3 talks about health insurance and it reads "the City of Edgewood shall make group health insurance available to all full time police officers and their families." Mr. Henson doesn't think that this policy is the place for this benefit to be dictated. This should be referenced in the city's personnel policies. Chief Kramer said this may have to be stated as part of the accreditation process. Mr. Wichmann suggested that these changes be made and sent to the accreditation agency for their approval. Mr. Henson said if the above is required for accreditation then he doesn't want to mess that up but he also doesn't want to tie the city's hands. Chief Kramer asked Mr. Henson to send him his revisions. Mr. Rolfes said we should not reference any percentages or anything else in this document (document stated the city would cover 100% of insurance) other than to say we will provide these benefits in accordance to what council approves for the fiscal year or something similar to that.

Mr. Henson said in chapter 21.1D vehicle policy – driving rules – item #7 is an incomplete sentence and he doesn't know what it means. Chief Kramer will look into it.

Due to the number of changes the motion and second was rescinded; changes will be made and brought back to council.

**Municipal Order 2009-13 adopting the street light policy** – Mr. Rolfes said he needed clarification on the payment of wiring installation cost beyond 25 feet, is it to be paid by the city or the resident. Mr. Messmer thought it was to be paid by the resident. Mr. Jaeger said the city should pay the entire cost; he also said he didn't see in the policy where it talks about who is paying for the actual pole. Mr. Messmer said about 3 lines down in the document it states the property owner will be responsible for the additional wiring costs; this will be deleted. Mr. Middendorf and Mr. Spears agreed with Mr. Jaeger that the city should pay for it. Mr. Jaeger also suggested adding to the policy "the number of poles to be installed will be contingent on the budget". It should also be noted on the policy that a street light will not be installed on a lot with rear lot line electric due to Duke's policy not extending the wire to the street regardless who pays for it. Changes will be made and brought back to council.

**Municipal Order 2009-14 authorization to sign the Kenton County Interlocal agreement for collection of occupational taxes** – Mr. Spears made a motion to adopt municipal order 2009-14; there was no second. Mr. Schreiber said we still don't know how much we're going to take in; we have no idea what's going to happen. Ft. Mitchell says they'll lose \$3 or \$4 per application. Mr. Henson said the collection fee will increase from 1% to 2% so we will not take in as much as we have. Mr. Rolfes said we'll take in the same as last year because it was 2% then. Mr. Spears asked what the alternative was. Mr. Schreiber said Covington will get \$25 right off the top. Mr. Rolfes said from the beginning of collection of the countywide license fee most every city received more money when they went to the county wide license. Based on the new agreement extra money went into an escrow fund until the document has passed by all cities. Once this occurs, then the escrow fund will be divided up in accordance to the formula. It's still cheaper for businesses to buy the county wide license than the individual licenses. If this falls through we will lose money. In addition the General Assembly wants the state to collect this money which means we'll lose even more money; the city has never sent anything to the state and received the right amount of money back from them. This, along with payroll tax, is a very large portion of the revenue that comes into the city. Mr. Schreiber asked about getting out of the agreement if we're not satisfied. Mr. Rolfes said there is a provision for cities to opt out. Mr. Schreiber asked about getting the formula reworked if necessary in the future; Mr. Rolfes said all cities would have to agree to that request. Mr. Henson asked if any city has not passed it; Mr. Rolfes said not to his knowledge. Some cities have passed it and others will be passing it soon. Mr. Jaeger agreed with Mr. Schreiber saying that he doesn't know why the city should accept something that's less than ideal; he said it's almost being strong armed. Mr. Spears said there are a lot of unanswered questions but he's confident that there isn't a better alternative. Mr. Schreiber requested to wait before we pass this and see how many other cities pass it. Municipal Order will be presented at the next meeting.

**Ordinance 2009-10-12 text amendment in regards to storage buildings – 1<sup>st</sup> reading**

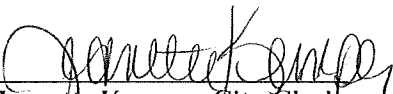
Mr. Wichmann read the ordinance: AN ORDINANCE OF THE CITY OF EDGEWOOD, IN KENTON COUNTY, KENTUCKY, AMENDING THE TEXT OF THE EDGEWOOD ZONING ORDINANCE IN REGARD TO STORAGE BUILDINGS.

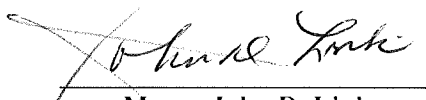
**ANNOUNCEMENTS**

- Spooky Sunday will be October 25<sup>th</sup> at Presidents Park. Costume parade leaves St. Pius at 4 p.m. and ends at Presidents Park with activities to follow.
- Trick or Treat hours will be October 31<sup>st</sup> from 6 to 8 p.m.

**ADJOURNMENT**

Mr. Spears made a **motion** to adjourn at 7:45 p.m.; second by Mr. Henson. **Motion passed: 6 ayes – 0 nays.**

Attest:   
 Jeaneffe Kemper, City Clerk  
 Date passed: 11/2/09

  
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 Mayor John D. Link