

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL JULY 14, 2010

Board of Council met in regular session on the above date at 7:00 p.m. with the following members answering roll call:

MEMBERS: Guidugli, Riehl, Ratterman, Olliges and Camm. Mayor John D. Meyer presiding.

The meeting was opened with a prayer and pledge to the flag.

FOR THE RECORD: Mayor Meyer called for a moment of silence for former Bellevue High School student Spc Russell Madden who was killed in action while in Afghanistan.

MOTION: By Camm seconded by Ratterman that Council Member Brun be excused. Motion carried.

FOR THE RECORD: Council Member Brun arrived at 7:03 pm

MOTION: By Guidugli seconded by Riehl that the minutes of the special meeting of Council held June 16, 2010 are accepted as received. FOR THE RECORD MEMBER CAMM ABSTAINED FROM VOTING AS HE WAS NOT PRESENT FOR THE JUNE 16 SPECIAL MEETING OF COUNCIL. Motion carried.

FOR THE RECORD: Council was presented with a request for a block party for July 17th from the residents of the 300 Block of Center Street.

MOTION: By Ratterman seconded by Guidugli to approve the request for a block party in the 300 block of Center for July 17, 2010 pending notification to safety departments. Motion carried.

FOR THE RECORD: Council was presented with a request for a block party for July 24, 2010 from the residents of the 100 block of Van Voast.

MOTION: By Brun seconded by Ratterman to approve the request for a block party in the 100 block of Van Voast for July 24, 2010 pending notification to safety departments. Motion carried.

MOTION: By Camm seconded by Olliges that the following claims are paid:

General Fund	(46)	\$ 354,951.42
General Fund (6/30/2010)	(17)	5,468.40
Capital Improvement	(3)	47,525.96
Capital Improvement (6/30/10)	(3)	4,970.43
Parks	(6)	6,241.73
Parks (6/30/10)	(2)	221.11
Port Bellevue Fund	(1)	242.05

All members voting in the affirmative. Motion carried.

FOR THE RECORD: Mayor Meyer expressed appreciation to all departments who assisted in the preparation for funeral services for Spc Russell Madden who was killed in Afghanistan.

FOR THE RECORD: City Administrator Keith Spoelker reported on the following:

Micro Brewery Ordinance will be presented to Council for consideration at the August meeting of Council.

A thirty-year rain occurred yesterday resulting in water problems throughout the City.

**FOR THE RECORD:** John Yung Zoning Administrator requested Council consideration for a curb cut at 409 Clark. Mr. Yung stated that he has reviewed the request and recommends Council approval.

**MOTION:** By Ratterman seconded by Guidugli to approve a curb cut at 409 Clark Street. Motion carried.

**FOR THE RECORD:** John Yung Zoning Administrator further reported:

Working with City Attorney for the form based zoning code, should come before Council in August.

A conditional use for the B-List allowing for an outdoor patio came before Planning and Zoning at the June 24<sup>th</sup> meeting and was approved.

Explanation for Council consideration for proposed Ordinance 2010-7-1 regarding dumpsters and PODS.

**FOR THE RECORD:** Assistant City Administrator Jody Robinson reported on the following:

Theme for August Shop Bellevue will be "Dog Days of Summer". Animal adoption will be available.

Request for Council consideration to have a City Wide yard sale October 9<sup>th</sup> and to have fees waived. The previous June city wide yard sale was cancelled due to heavy rain.

**MOTION:** By Brun seconded by Olliges to approve the City Wide Yard Sale for October 9, 2010 and to waive all fees to the residents. Motion carried.

**FOR THE RECORD:** Police Chief Bill Cole reported on the following:

Temporary stop sign placed at Donnermeyer and Lafayette for the construction work on Covert Run is now able to come down or considered for permanent usage by Council. If Council would like a permanent stop sign for this location an Ordinance would need to come before Council.

**MOTION:** By Brun seconded by Camm that staff draft an Ordinance to come before Council to allow for a permanent stop sign at the location of Donnermeyer and Lafayette. VOTE: Yes 4 No 2. Motion carried. **FOR THE RECORD THE DISSENTING VOTES WERE CAST BY MEMBERS RIEHL AND OLLIGES.**

**FOR THE RECORD:** The following residents came before Council to address the hillside slippage in the rear of Taylor Avenue; Rudy Rodriguez, Elizabeth Olliges and Sarah Meisenhelder.

Questioned why the Abandoned Urban Property Ordinance does not apply to this situation when there are issues of drainage problems, retaining wall built, removal of trees altered the natural state of hillside and a public nuisance effects the sidewalks and street area of Taylor from mud and debris.

Mayor Meyer stated that debris / mud in the public right-of-way will be cleaned up by the Public Services Department. Steve Smith acting City Attorney reiterated to the residents that no public funds can be spent on private property and suggested that the residents retain legal counsel for advice.

Elizabeth Oldiges responded to Council with a letter supporting the use of the Abandoned Urban Property Ordinance as means for Council to help and stated possible remedies to the situation such as installation of catch basins and ways to re-direct the drainage problem.

Rudy Rodriques questioned what Council and Staff have done to respond to the situation. Mr. Rodriques was advised that the City Administrator has made contact with the Campbell County Administrator, State and Federal FEMA offices as well as Congressman Geoff Davis for help to the residents. All agencies have indicated they cannot help since the problem is occurring on private property. Mr. Spoelker has referred to the residents contact information for the Hillside Trust Organization as a possible resource to the residents.

Acting City Attorney Steve Smith stated that the letter to Council from Elizabeth Oldiges will be reviewed and researched and encouraged the residents to again seek legal action through the Campbell County Court system.

- FOR THE RECORD:** Mary Haley, 150 Bellepointe Commons addressed Council with issues over the closure of Covert Run for the storm drainage repairs. Ms. Haley stated that the residents have safety concerns, property value concerns and issues over the length of time for completion of the project. Fire Chief Denny Lynn addressed safety concerns by advising Ms. Haley that Ft. Thomas and Newport are dispatched at the same time as Bellevue-Dayton should a 911 call come in. Response time is within one minute of normal response time for Bellevue-Dayton. City has a trailer on site to store additional fire hoses and department daily monitors the progress of the road closure. Ms. Haley was assured that the project was not started until safety concerns were addressed.
- FOR THE RECORD:** Vickie Greco, 1110 Bellepointe Commons expressed concerns if the project is extended into winter with freezing roads.
- FOR THE RECORD:** Joyce Vann, 415 Lafayette stated that there are major property maintenance issues in the alley in the rear of her property. Ms. Vann was advised that staff will look into the situation.
- FOR THE RECORD:** Chris Windeler, 443 Washington addressed Council to express an interest in purchasing the City owned railroad lot adjacent to his property. Mr. Windeler stated he would like to put up a fence on the property. Mr. Windeler was advised to submit in writing to the City Administrator his plan for the use of the former railroad lot.
- FOR THE RECORD:** Louann Elliott, 137 Ross expressed support for the Taylor Avenue residents and noted that the outdoor patio for the B-List could cause potential noise problems for the residents. Ms. Elliott was advised by Zoning Administrator John Yung that stipulations such as no music allowed and time restraints are attached to the conditional use permit for the B-list.

FOR THE RECORD: John Adams, 411 Washington stated the need for a street light at the Washington Avenue Park due to activity occurring in the park during the evening. Mr. Adams was advised that staff will look into the streetlight and Police will monitor the park for activity.

MOTION: By Guidugli seconded by Ratterman that Ordinance 2010-07-01 an Ordinance of the City of Bellevue amending Chapter 97 of the City of Bellevue Code of Ordinances to regulate the placement of temporary storage units, portable storage units and dumpsters; establishing a permit fee for same; and providing a penalty for violations thereof be read for a first time. Motion carried.

MOTION: By Ratterman seconded by Brun that Ordinance 2010-07-01 pass the first reading with the following correction noted; correct typo (H) to (I). VOTE: Yes 6 No 0. Motion carried.

FOR THE RECORD: Mayor Meyer made the following announcements:

Successful July events included: First Friday, Clay Alliance on the Avenue, Cruise-in with Hot Wax concert and fireworks to follow.

July 23<sup>rd</sup> Movie in the Park will be Planet 51 – Movie begins at 9:30 pm

August 14<sup>th</sup> Scott Sprague and Friends will perform for the 2<sup>nd</sup> Saturday Concert Series beginning at 7:00 pm

August 17<sup>th</sup> Senior Appreciation Luncheon held at the Bellevue Vet's.

FOR THE RECORD: Council Member Ratterman stated that Bellevue Independent has partnered with Florence Freedom for a "Bellevue Night". Tickets are \$10.00 each with \$5.00 going to the Bellevue Education Foundation. Game is Monday August 2<sup>nd</sup> at 7:05 pm. Tickets can be purchased by calling Council Member Ratterman.

MOTION: By Brun seconded by Ratterman to adjourn at 8:45 pm. Motion carried.

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Mayor John D. Meyer

ATTEST:

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Mary H. Scott, City Clerk

I hereby certify that the foregoing meeting was held in compliance with the requirements of the appropriate provision of H.B. 100 effective 6-21-74 also referred to as KRS Ch 61 on this 14th day of July 2010.

Mary H. Scott, City Clerk