

**CITY OF HIGHLAND HEIGHTS
REGULAR COUNCIL MEETING
MARCH 1, 2005**

On March 1, 2005, Mayor Roettger opened the regular Council meeting at the Civic Center, 175 Johns Hill Road, at 7:30 p.m.

PRESENT: Council members, Harold Blocher, Steve Lehman, Greg Meyers, Jeanne Pettit, Rose Pfaff and Gene White. Also present: City Attorney Steve Franzen, City Engineer Dave Whitacre, Police Chief Carl Mullen and Public Works Director Rick Little.

ABSENT: None.

PRAYER: Mayor Roettger.

PLEDGE OF ALLEGIANCE TO THE FLAG: Everyone said the pledge of allegiance to the flag.

ANNOUNCEMENT/S: None.

REGULAR COUNCIL MINUTES OF FEBRUARY 15, 2005. The unofficial draft of the minutes of February 15, 2005, was previously distributed to the Mayor and City Council members.

ACTION TAKEN: MEMBER WHITE MOVED TO ACCEPT THE MINUTES OF FEBRUARY 15, 2005, SECONDED BY MEMBER PFAFF. DISCUSSION: NONE. 6 -- AYES. MAYOR ROETTGER DECLARED THE MOTION PASSED.

SPECIAL COUNCIL MINUTES: NONE.

CHANGES/ADDITIONS/DELETIONS TO THE AGENDA: NONE.

SCHEDULED GUEST/S: Ms. Mary Falls, Key Bank. Ms. Falls introduced herself. She announced that Key Bank had opened in the City. She stated she had the opportunity to meet Council members Meyers and Pfaff at the Grand Opening on February 28th. She stated Key Bank is there to be of service to the citizens and to the City.

Ms. Cheri Rekow. Ms. Rekow gave an informative presentation regarding the Part 150 Noise Compatibility Study for Lunken Airport. She stated if anyone is

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experiencing noise problems from the airplanes, they should contact her. She asked that the person be prepared to give the time and the locations when they experience noise from the airplanes.

Mr. Chuck Pettit, Vice Chair of the Central Campbell County Fire District Board of Trustees. He stated he is addressing some concerns that are going around throughout the area concerning Advance Life Support (ALS).

Mr. Pettit gave a brief history that dated back to July 15, 2004. He said this issue was talked about at length, since the merger, over the last couple of years. He stated in August of 2004, a letter was sent from the Board of Trustees to the citizens of the district asking for their support. He stated they asked for a fifty (.50) cent tax increase, from the citizens, to help with the cost of going forward with the Advance Life Support (ALS).

Mr. Pettit stated in September 2004, a Special Meeting was conducted regarding the tax rate increase. He said this meeting was well attended. He further stated that, to his knowledge, there was only one person who had an issue with this program.

Mr. Pettit further stated that on September 16, 2004, they had another lengthy discussion concerning this and it was re-affirmed they would go forward with the Advance Life Support (ALS) effective July 1, 2005.

Mayor Roettger asked Mr. Pettit if Central Campbell is an ALS unit; and if NKEMS still provided advance life support for a person in the county, should the resident still enter into a subscription with NKEMS. H asked if is there a specific agreement with Central Campbell and the EMS so that this would not be required? **OUTCOME:** Mr. Pettit stated, at this time, he did not know the answer. He stated he would check on this question.

CORRESPONDENCE: Member Pfaff stated she had received a phone call from a citizen asking about the use of plastic bags for trash collection. Mayor Roettger stated plastic garbage bags are legitimate. He said if this becomes a litter problem, there is an ordinance that would address this issue.

Member Pettit suggested that Member Pfaff review the Newsletter that addresses this issue.

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A letter signed by some of the residents who reside on Katherine Court. They addressed their concern about a potential parking hazard on their street. A copy of this letter was given to the Police Chief, and a copy thereof is attached to these minutes.

A letter from Chuck Melville, Chairman of the Campbell County Cable Board. Mr. Melville announced the resignation of Kirt Rockel as Executive Director of the Campbell County Cable Board.

A letter from Sergeant Tom Stubbeman, Highland Heights Police Department. Sergeant Stubbeman complimented the Public Works Department for their help providing the necessary equipment for his investigation.

A letter from Wesels Construction: **OUTCOME:** This letter was turned over to the City Attorney for his review.

A letter from Evan Neises, 6 Jillian Court. Mr. Neises is requesting that Carmack Park be turned into a Skate Park. **OUTCOME:** This matter was turned over to the Recreation Committee.

A letter from the Justice and Public Safety Cabinet. **OUTCOME:** This letter was turned over to the Police Chief.

STAFF REPORTS: POLICE CHIEF -- Chief Mullen announced the Citizens Academy would be conducted each Thursday from April 14-May 26 from 7:00 pm to 9:30 p.m.

CLERK/TREASURER -- No report.

FINANCE DIRECTOR -- No report.

PLANNING & ZONING MINUTES -- None at this time.

CITY ENGINEER/ZONING ADMINISTRATOR: Mr. Whitacre previously submitted his written report to the Mayor and City Council members. A copy thereof is attached to these minutes.

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DAVID HERSH PROPERTY: Mr. Whitacre gave an in-depth report about this matter. There was also a lengthy discussion about consolidating these parcels into one deed.

ACTION TAKEN: MEMBER LEHMAN MOVED TO DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE CLOSING THAT PARTICULAR RIGHT-OF-WAY ON HILL ROAD BETWEEN LOT 227, LOT 96 AND LOT 97 AND THAT MR HERSH, THE PROPERTY OWNER, WILL PAY ALL THE COSTS ASSOCIATED WITH THE RIGHT-OF-WAY INCLUDING THE CONSOLIDATION OF ONE DEED FOR THOSE FOUR PARCELS, SECONDED BY MEMBER PFAFF. **DISCUSSION:** Member White asked if there were a house on lots 228 and 227, would this cause any problem by consolidating these lots? Mr. Whitacre responded that the consolidation plat would include three lots plus the right-of- way. He stated this matter would also go before Planning and Zoning.

ROLL CALL: BLOCHER, AYE; PFAFF, AYE; MEYERS, AYE; LEHMAN, AYE; PETTIT, AYE; WHITE, AYE. 6 – AYES. **MAYOR ROETTGER DECLARED THE MOTION PASSED.**

OUTCOME: Attorney Franzen stated he would contact Mr. Hersh about this issue.

PUBLIC WORKS DIRECTOR -- No Report.

CITY ATTORNEY – SECOND READING OF ORDINANCE/S: NONE.

UNFINISHED BUSINESS: Member Pettit stated she received the results from the survey that asked the following questions:

#1. WOULD YOU LIKE TO CHANGE THE CITY COUNCIL MEETING TO ONE MEETING PER MONTH: Member Pettit reported that six responded for one meeting a month. Two responded for two meetings a month. Three responded they would go with the majority.

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#2. IF WE GO TO ONE COUNCIL MEETING PER MONTH, WHICH MEETING DATES ARE YOU AVAILABLE: Six responded they would prefer the first Tuesday of the month. One responded for the third Tuesday of the month. Three responded they would go with the majority.

There was a lengthy discussion about the pros and cons of changing the meeting schedule.

ACTION TAKEN: MEMBER WHITE MOVED TO CONTINUE CONDUCTING COUNCIL MEETINGS TWO MEETINGS A MONTH, SECONDED BY MEMBER MEYERS. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED.

NOMINATION FOR BOARD OF ADJUSTMENT: Mayor Roettger announced he received a resume from Rene B. Heinrich for the position of Commissioner on the Board of Adjustment. He asked if there were any further nominations. Mrs. Rauf responded "no".

Mayor Roettger nominated Rene B. Heinrich to fill the un-expired term of Jeanne Pettit on the Board of Adjustment. **FOR THE RECORD:** Rene B. Heinrich's term will expire on December 31, 2006.

ACTION TAKEN: MEMBER WHITE MOVED TO ACCEPT THE MAYOR'S NOMINATION OF RENE B. HEINRICH TO SERVE ON THE BOARD OF ADJUSTMENT, SECONDED BY MEMBER MEYERS. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.

Member White stated he received a complaint from Jeff McClanahan that the light from the PNC Bank is shining into his home on Harriett Avenue. **OUTCOME:** Mr. Whitacre will get in touch with the proper person at PNC Bank about this problem.

AMERICANS SUPPORTING AMERICANS: Member Pfaff stated she received information from John Stine. She said by adopting a unit, it is a way for the community to support a particular unit. She said it might be possible, if the City would opt to support a troop, that this troop may be part of the 101st Airborne out

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of Fort Campbell. She said she has the necessary paper for the Mayor's signature. She said this is a long-term commitment.

OUTCOME: Mayor Roettger turned these papers over to City Attorney Franzen for his review.

CAMPBELL COUNTY HIGH SCHOOL – PROJECT GRADUATION: Member Meyers stated this request was discussed at the Safety Committee meeting. He said The Safety Committee is recommending that the City donate \$250.00 to the Campbell County Project Graduation. **ACTION TAKEN: MEMER MEYERS MOVED THAT THE CITY DONATE \$250.00 TO THE CAMPBELL COUNTY HIGH SCHOOL PROJECT GRADUATION, SECONDED BY MEMBER LEHMAN. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.**

HOPE LANE & DALE ROAD: Member Lehman stated this issue was discussed at the Safety Committee Meeting. He stated the committee would have a report at the next Council meeting.

CITIZENS TO ADDRESS COUNCIL: NONE.

NEW BUSINESS: FIRST READING OF ORDINANCE/S. Attorney Franzen read, in full, the First reading of the following ordinance:

ORDINANCE #01-2005: AN ORDINANCE REPEALING ORDINANCE #451 AND ITS AMENDMENTS ORDINANCE #4-93 AND ORDINANCE #18-98, THE ORDINANCE CREATING A PARKS PLAYGROUND RECREATION COMMISSION PURSUANT TO CHAPTER 97 et. seq., AND CREATING A CITY OF HIGHLAND HEIGHTS RECREATION BOARD.

There was discussion about having the Mayor sign a contract with Davey Resource Group for work on the Highland Heights Nature Trail. The Davey Group had previously submitted a proposal for this work.

ACTION TAKEN: MEMBER BLOCHER MOVED TO AUTHORIZE THE MAYOR TO SIGN THE CONTRACT WITH DAVEY RESOURCE GROUP FOR WORK ON THE HIGHLAND HEIGHTS NATURE TRAIL, SECONDED BY MEMBER

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LEHMAN. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.

Attorney Franzen read the Municipal Order. This Municipal Order is made a part of the City's record and is indexed in the City's official Municipal Order Book as #09-2005

RESOLUTION #03-2005: MEMBER BLOCHER MOVED TO ACCEPT THIS RESOLUTION, WITHOUT READING BY THE ATTORNEY, AND THAT IT BE MAILED TO THE LEGISLATORS, SECONDED BY MEMBER LEHMAN. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.

OTHER NEW BUSINESS: Mayor Roettger announced there is an issue for Executive Session. He said it has to do with property acquisition. **ACTION TAKEN: MEMBER LEHMAN MOVED TO CONVENE TO EXECUTIVE SESSION: FOR THE SPECIFIC PURPOSE TO DISCUSS LAND ACQUISITION, SECONDED BY MEMBER WHITE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.**

MEMBER WHITE MOVED TO RE-CONVENE TO THE REGULAR COUNCIL MEETING, SECONDED BY MEMBER PETTIT. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED UNANIMOUSLY.

The regular meeting re-convened at 9:25 p.m.

ACTION TAKEN: MEMBER PETTIT MOVED TO PROCEED WITH THE PROPERTY ACQUISITION, SECONDED BY MEMBER PFAFF. DISCUSSION: NONE. AYE, ALL. MAYOR ROETTGER DECLARED THE MOTION PASSED.

There being no further business, **MEMBER WHITE MOVED TO ADJOURN THE MEETING, SECONDED BY MEMBER LEHMAN. AYE, ALL.**

The meeting adjourned at 9:30 p.m.

SUBMITTED BY: _____
JEAN A. RAUF, CITY CLERK TREASURER CMC

SIGNED BY: _____
CHARLES W. ROETTGER, MAYOR