

## MINUTES-OCTOBER 5, 2011 PAGE 1

The regular meeting of the Bromley Council began with a pledge to the flag.

**These minutes are taken from the tape recording as the Clerk is absent.**

Officers answering to roll call: Gail Smith, Mike Denham, Rob Gardiner (Rob), Mayor Radford, Donnie Jobe. **Patty Grimes and Dan Gardiner (Dan) are absent.** The Mayor stated that there is quorum for this meeting.

Smith moves to accept the September minutes. Rob seconds. Roll call: all aye. The motion carried.

### FIRST CITIZEN REPORT

David VonBokern, Bromley Road, is purchasing Thomas' Automotive. His plan is to have a small car dealership, clean up the property, do detailing. This is a secondary location for him. This would be, basically, an internet-generated car lot. It would be difficult to have no cars parked on the lot since it would be a dealership. He would have two to three employees during operating hours. He basically repairs and resells vehicles (recycling) and a license is required. The business is legitimate. Mr. VonBokern told Smith that most of his business would be done in Covington. He would like to do light body work in Bromley. He is still in the process of closing on the sale of the property. Schutzman has some concerns that he is reviewing with the Attorney. He stated that if you allow some issues to take place you open the door for other like-businesses to follow suit.

Schutzman would like to see the license paperwork that some businesses claim to have.

Mr. VonBokern stated that it is difficult to get a dealer's license as the State is involved, bonds must be paid, etc. He does promise to clean up the property and feels that the City will get substantial tax dollars from the property, which, according to Mayor Radford, is zoned R1H(P).

Larry Hamant, owner of a business on River Road, stated that he had contacted the media regarding a property across from his business where sewage is a problem. Schutzman stated that he looks for safety/health issues when he inspects between rentals. Mr. Hamant felt that the septic tank issue should be a health issue. Schutzman did state that sewage does go into the river from the location across from Hamant's Garage. The Mayor stated that the Yacht Club sewage issue was addressed immediately because it is also a restaurant. Schutzman stated that if the Health Department considers there to be an issue he will give a ninety-day notice to the owner but he will not go over the heads of the Health Department. Mr. Hamant stated that the EPA took a report and sent it to their supervisors. Per Hamant, the owner was given notice that they could not discharge into the culvert pipe. SD1 made the owner dig the discharge line out of the culvert and cap it.

(the Mayor stated that SD1 only observed this action. The Board of Health issued this order). Mr. Hamant stated that the problem went away after that for three to four months and for some reason SD1 opened it up again and tapped the culvert and the problem

resurfaced. The sewage comes out of the tap, across the blacktop to the culvert, under the road and to the river. The Health Department supposedly has put Brooks on notice again. Someone is going to move into the house behind Mr. Brooks' property in the near future. The sewage will run down the hill, per Hamant. EPA has taken samples from residents in

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this area and sent them away for testing. Schutzman will continue to pursue this matter and will discuss another issue with Mr. Hamant after the meeting which he does not wish to be shown in the minutes.

### **BUILDING INSPECTOR**

Schutzman stated that the City has recovered some funds on several properties that had liens.

A lien has been filed on 12 Shelby. Schutzman did clean up this property.

214 Pleasant continues to be a problem. Someone did file foreclosure on this property.

The grass at 213 Main will be cut again.

238 Boone is vacant and has been cleaned on the outside by Schutzman.

The owner of 1757 Highwater has paid the rental fee. There has been a problem in communications between VonLehman and Schutzman. Schutzman did state that the property is currently vacant and cleaned up by the owner. This has been an issue for eighteen months to a year and liens of \$10,000 are still outstanding.

The Attorney stated that Council did compromise the situation on the Roberts property by reducing the fines. Mr. Vocke will set up some standards that Council should follow regarding these properties so that due process issues do not arise.

Mr. Hamant suggests that Schutzman not allow the vacant apartment at the Brooks' property to be rented until the sewage problem is resolved.

Schutzman stated that 312 Pike has been cited.

### **LAW COMMITTEE**

Ben Johnson has no report at this time.

There was an issue from the Mayor which has been resolved.

Ludlow Police Department (LPD) is working on an issue from Jobe.

The Mayor reported a vehicle parking on the curb. A citation has been issued.

Smith reported that NKADD wants a \$440.00 fee to do a cost analysis for starting up our own police department. The Mayor said to pursue this matter as there are no objections.

Ben Johnson will give Rob his and the Chief's email addresses to put on our website.

Ben Johnson has stated that surveillance cameras at the park can be used as evidence as long as there is a clear, usable picture.

### **FIRE DEPARTMENT**

Chief Weaver found a letter in his mailbox from a citizen wanting to know why two calls were not answered. The letter was unsigned. On the date of the call in question BFD was at the airport for a drill. The Mayor found a note posted on the front door tonight also unsigned. He will not pursue any letter that is unsigned. He will hold the letter in the event the sender steps forward.

The fire department will take some degreaser to the park area to clean up some grease on the sidewalk.

Mark Rodgers has put two coats of sealant on the bricks on the back wall, patio-side.

**HALL COMMITTEE**

Dan is absent.

The Mayor contacted Duke Energy regarding replacement of the florescent lighting in the hall for a more efficient lighting system. They do have a small reimbursement program but will not pay for this project. Dan and the Mayor will be pursuing this matter. Rob suggests that Mr. Cook at B/P be contacted. They sometimes make donations. The Mayor will pursue.

**ROAD AND LIGHT**

Denham stated that a yard of concrete was used to repair the alley between Boone and Kenton. Schutzman will send letters to property owners whose walls abut the alley and inform them that they will have to repair their walls prior to any future alley repair work. Denham is concerned that when major repair work begins the owners will come back to the City claiming that the repair work damaged the wall, when, in fact, the walls in the area are in very bad condition. The Attorney suggests that the contractor prepare a letter stating that no repair work will begin until the condition of the walls is remedied.

A missing Shelby Street sign was ordered and replaced by Rodgers.

Denham suggests that the City bid out snow removal work. The Attorney stated that it is not necessary if the work will be under \$20,000.00. The Mayor would like to have a pre-bid meeting.

Denham and Jobe have looked into purchasing a small truck. They went to Turfway to view some vehicles. Cash is required up front for purchases unless a letter from the City is presented authorizing payment. The Clerk will be asked to prepare a letter.

Another letter from the City is required for Michel's to begin the work on Main Street. The cost will be between \$3,800.00-\$4,000.00.

The Mayor assisted the Road Department with the purchase of striping paint. That work will be pursued.

Denham will pursue the replacement of stop signs on Hayward.

The Mayor stated that up to \$5,000.00 was approved for the purchase of a small truck. He suggests four-wheel drive. The current public works employee is using his private vehicle at present.

**ATTORNEY REPORT**

The "conflict of interest" paperwork should be filed by the end of this week.

Four foreclosures are being pushed through. The Hildebrant property foreclosure was filed by someone else.

NuWay will be a new one that is filed.

A summary of Ordinance 10-1-11 regarding noise was read for the first time. Smith moves to accept this reading. Jobe seconds. Roll call: all aye. The motion carried.

The Attorney was down Saturday to obtain the ordinance copies necessary to begin the recodification process. The Attorney will check to see what the woman meant by "make changes that are required or anticipated pursuant to KRS". He feels this may have been the source of past problems.

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A license and release form from SD1 regarding dumpster placement is prepared. Mr. Vocke was asked to add provisions regarding "being in compliance with applicable laws and requirements" wording in the agreement. Mayor Radford will not sign the agreement due to his affiliation with SD1. Smith moves that Mike Denham be permitted to sign this agreement. Rob seconds. Roll call: all aye. The motion carried.

The Chapter 13 bankruptcy has been dismissed from the Traft property on Shelby Street.

### **MAYOR'S REPORT**

The City seal will be digitized and then used on shirts for City Board members and employees.

Smith attended the Mayor's meeting. She reports that an interesting presentation on the GIS system was given. N.KY Area Planning manages the GIS which is owned by SD1, the Water District, the Fiscal Court and the Health Department. There is talk of expanding this service to Boone and Campbell counties.

Another issue that was discussed was \$650.00 in a checking account collected in the past from various cities. This account will be charged fees if there is no activity. It was suggested that the money be donated to the 911 Memorial Park in Crescent Springs. A resolution is required from the cities.

TBNK will be merging with Time Warner. There is to be no sale.

The next meeting will be held in Villa Hills at Madonna Manor on the 15<sup>th</sup>. at 9:00 a.m.

### **WAYS AND MEANS**

Smith stated that there was no financial statement sent for the month.

Smith feels that there should be more money in the account during the months that we do not pay LPD. She will pursue.

We are still waiting on the invoice to join Kentucky League of Cities (KLC).

Grimes will be asked to get an insurance quote as KLC does offer this service.

Smith based her budget for fire protection on a twelve-month pay period when it is actually a ten-month cycle. She will check the figures.

### **PARK AND PLAYGROUND**

Jobe reports that two "children at play" signs have been installed at the park.

Jobe has contacted Rumpke and asked that the portable toilet be removed.

Jobe reports that someone started a fire in the wooden boat (park equipment). The LPD officer did try to extinguish the fire before the fire department arrived. Jobe has contacted Grimes to see if we have coverage on this equipment. Neighbors did see the persons who started the fire.

Jobe will see that the tractor is serviced for next year.

### **LICENSE REPORT**

Rob reports that the rental license for 1757 Highwater has been paid. He will do another update on this file for the Mayor and Council.

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The Mayor would like to meet with Rob regarding rental property. He may also discuss the possibility of raising the rental license fee rates.

Rob will obtain a vehicle license update from the Treasurer.

### **INSURANCE AND GRANTS**

Grimes reported to the Mayor that there is no activity.

**Smith moves to accept the committee reports. Rob seconds. Roll call: all aye. The motion carried.**

### **NEWSPAPER/WEBSITE**

Rob asks for any input for the next edition of the paper. The deadline is either the 13<sup>th</sup>. or the 15<sup>th</sup>. of the month. Halloween hours were listed in the past edition.

He can mention that Bromley is looking for bids for snow removal.

The Mayor would like to have a pre-bid meeting regarding snow removal. Bids, per the Attorney, do not have to be opened at the Council meeting as the job would be under \$20,000.00. The Clerk will be asked to put something in the Enquirer about the snow removal.

Rob reports that the City can purchase mouse pads containing our website address. This could cost about \$200.00. Pens can be purchased for \$.39 each. The cost would be approximately \$110.00. Smith will be contacted before any purchases are made.

### **SECOND CITIZEN REPORT**

Larry Hamant was told that rental licenses go out at tax time (July) annually.

Mr. Hamant was told that his taxes would decrease on his mobile home since it is licensed by the State of Kentucky in the same manner as a vehicle is licensed. He stated that his taxes have not decreased. He was told that the Clerk uses the PVA assessments. It was suggested that he go to the PVA office to have the taxes reduced and our Clerk will then be notified of the change.

### **OLD BUSINESS/NEW BUSINESS**

No input

Smith moves to go into executive session to discuss a personnel matter. Rob seconds. Roll call: all aye. The motion carried.

The regular order of business will continue following this session.

Denham moves to end the executive session. Smith seconds. The regular meeting resumed at this point.

Smith moves that the City make a \$50.00 donation to the fire department as was done last year to be used to purchase glow necklaces and candy for Halloween. Rob seconds. Roll call: all aye. The motion carried.

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The Mayor reports that, due to discussions during the executive session, matters regarding Mark Rodgers, Public Works, will be openly discussed via emails.

Rodgers feels that he should be made full-time or be provided with additional part-time help. He has stated that the grass cutting "got the best of him" this summer and he will try to do better next year. Rodgers has provided the Mayor with dates and the number of hours worked on those days.

The Mayor feels that Rodgers should go to get prisoners earlier in the day and that if we get them and provide a meal for them they will want to work for Bromley.

Rodgers has informed the Mayor that he does want and need this job.

Smith stated that if we have our own employee who does snow removal we must pay for insurance. If we hire out for the job we do not have to provide insurance coverage.

**COMMUNICATIONS**

None

**BILLS**

Denham moves to pay the bills. Smith seconds. Roll call: all aye. The motion carried.

Smith moves to adjourn. Rob seconds. The meeting adjourned at this time.

**MAYOR** \_\_\_\_\_

**CLERK** \_\_\_\_\_