

The regular meeting of the Bromley Council began at 6:30 p.m. with a pledge to the flag.

Officers answering to roll call: Gail Smith, Mike Denham, Rob Gardiner (Rob), Mayor Radford, Dan Gardiner (Dan), Patty Grimes and Donnie Jobe. All members are present.

The minutes from the special meeting held on July 18, 2012 were approved on a motion made by Smith with a second from Jobe. Roll call: all aye. The motion carried.

BUILDING INSPECTOR REPORT

Schutzman, with the approval of the Code Enforcement Board (CEB), has sent out twenty-five rental notices to owners operating without a license. They will be fined \$100.00 a day until they come into compliance or the tenant moves from the property. They will also need to be inspected. Schutzman will check in the office on Saturday to see who has paid. If no answer is received within seven days the liens will be imposed. Some of these delinquencies date back to 2007. Some delinquencies may be removed if the properties are vacant or if they are under new ownership.

Schutzman stated that he only cleans the yard and removes trash at vacant properties. His job is not to maintain the properties.

Grimes was informed that, as soon as the City receives the title, Mr. Traft will have to move. Schutzman feels that it may be better for the property to remain occupied. When it becomes vacant he will secure the property. Attorney Vocke did contact the Master Commissioner's office and was told that someone from the City told them to hold up on the deed, but it was later determined that the information to hold the deed was on the wrong file so they can now proceed. The Attorney stated that Bromley paid two times to have this property sold.

When the taxes are paid on 238 Boone the Attorney will get a motion prepared to sell the property.

Schutzman stated that something is pending on the property at Shelby and Main. He is waiting before he proceeds because of the pending action. He is unable to do anything with high grass if it is considered to be ornamental. The owner is under violation for numerous things.

Schutzman stated that 109 Moore is being sold for the third or fourth time.

The Mayor stated that the grass has been cut on the south corner of Moore and Main along the Main Street side.

Schutzman stated that in cases where pools are considered to be temporary no permit is required. Pool regulations were redone to exclude temporary pools from having to follow normal pool regulations.

FIRST CITIZEN REPORT

Mr. & Mrs. Joe VonLehman, owners of 1757 Highwater Road, were permitted to address Council at this time. They have submitted a written request for the removal of the lien on this property (available in the office for review). Mr. VonLehman stated that, once they personally received notice of the lien, they cleaned up the property but it was never inspected. He stated that, in the past, his foster daughter and other tenants were given notice of impending liens but the paperwork was never given to him.

Schutzman informed the Mayor and Council that the electrical problem at this location has been fixed and he is comfortable with what is there now. Both the car and the boat have been removed from the yard. There have been no issues in the past two months and the property is in compliance.

Mr. VonLehman stated that his taxes are all up to date and the liens amount to over \$10,000.00. The Attorney stated that all of the paperwork regarding the violations was done following proper procedures.

Schutzman stated that his fees on the property are in the amount of \$1,050.00. The fines are about \$10,000.00. VonLehmans have owned the property since around 2009.

Smith moves that Council go into executive session to discuss this matter. Schutzman was asked to remain. Grimes seconds. Roll call: all aye. The motion carried. . (6:50 p.m.)

Smith moves and Dan seconds to come out of executive session. Roll call: all aye. The motion carried. (7:04 p.m.)

Grimes moves that the lien be taken off of the property and a payment of \$4,140.00 be made by the VonLehmans. This payment is to paid within a three-month period. Smith seconds. Discussion: Mr. VonLehman stated that there was either a lie or some type of mistake because he had his man clean up the property and he paid him to do so.

The Attorney tried to explain to Mr. VonLehman that in a similar case the City determined that one-half of the lien (which was \$10,000.00) be paid plus all delinquent taxes. The City is willing to take substantially less from Mr. VonLehman than the lien calls for. Mr. VonLehman wants to offer \$1,000.00 for services performed by Schutzman and have the City remove the lien entirely. Mr. VonLehman stated several times that he was unaware of the lien or he would have come into compliance. The Attorney stated that Mrs. VonLehman had attended a meeting in August of 2011 regarding this matter so they were aware of the situation and Schutzman proceeded with notifications per KRS which only require that a person 18 years of age or older residing at the property be presented with the lien notification. Mr. VonLehman claims that the first time he received notice he contacted Schutzman and was told to clean up the property and he would not have to worry about it after that.

The Attorney also told Mr. VonLehman that telephone calls are not part of the due-process rights. Notification must be given in writing.

After more discussion a vote was called for on the previous motion. Roll call: all aye. The motion carried. The Mayor informed the VonLehmans that this is Council's stance on the matter. Schutzman stated that the same procedure is followed in all similar cases.

POLICE COMMITTEE

Denham has not met with Park Hills Police (PHP) as yet but has heard nothing but positive remarks about PHP. They have been reported to be friendly to the citizens, are being seen frequently in town, have been seen walking around and inspecting business properties, leaving notes for the Fire Chief about an open door, etc.

A key was given to the PHP officer in attendance for entrance to the City building and another list of Highwater Road properties within the City limits of Bromley will be emailed to the Chief.

FIRE DEPARTMENT REPORT

The monthly report is available in the office for review.

ADVANCED LIFE SUPPORT (ALS) REPORT

Grimes stated that Ludlow and Rural Metro (RM) representatives attended the special meeting in July. The motion to go with Ludlow for ALS was defeated. The Mayor has asked that she look further. She asked if Council would like to readdress the ALS issue with Ludlow.

Jobe would like to meet with RM again and propose that the City pay the annual fee of \$8,000.00 after which time the Bromley Fire Department (BFD) will pay any additional fees not paid by insurance companies thus allowing the BFD to keep their squad and provide Basic Life Support (BLS) to the citizens of Bromley. Chief Weaver stated that RM was never contacted after they left the special meeting on July 18, 2012. Smith stated that Ron, from RM, made a comment when leaving this meeting stating that he would be willing to negotiate with the City. Grimes concern with going with RM is that they only hard-bill.

Jobe moves that we sit down with RM and present them with his proposal to see if it is an option (allowing the City to pay \$8,000.00 and BFD pay the balance after insurance payments are received). He said that the committee can do the investigative work. Smith seconds. Discussion: The Mayor stated that, at this point, the City if RM accepts the option. The BFD Chief will have to do a contract with the City if the option is accepted. Grimes, Jobe, Chief Weaver, and the RM representative will meet. We will have to find out if BFD can do the billing for the ALS calls. An agreement will have to be made in writing prior to our September Council meeting, per Attorney Vocke. Per Jobe, if we can try this for the first year other options may be open to us for ALS as the other departments going ALS will have a better feel for the situation and may be willing to take on other cities once they are up and running. Grimes may also contact Erlanger again since they will be losing Crescent Springs and may be willing to take on another city.

Roll call on the previous motion: 5 ayes. Grimes votes no (because she does not mind pursuing ALS with Erlanger. She does mind pursuing ALS with RM). The motion carried.

HALL COMMITTEE

The hall is rented on August 11th. and August 18th. The fire department has agreed to have all festival equipment cleared out of the basement prior to those dates.

ROAD AND LIGHT

Denham will pursue two lights that are not operating per Smith.

The State repaved some of the area on Route 8 where water line work was performed. The Mayor contacted the State and was told that they will repaint stop blocks and crosswalk areas on Route 8. The Mayor reports that Mark Rodgers is working with the prisoners who have been cleaning the curb

line for the festival and they are anticipating cleaning all of the City streets. They are also keeping the catch basins cleaned which is part of the regulations required by SD1 for the cities.

ATTORNEY REPORT

The Attorney is waiting for the Attorney General's office to sign off on our police contract with PHP which allows Bromley to receive HB413 funding.

The Attorney read Resolution 8-1-12 which adopts the Regional Hazard Mitigation Plan. Smith moves to accept this resolution. Rob seconds. Roll call: all aye. The motion carried.

The Attorney read Resolution 8-2-12 which allows BFD to use areas of Shelby Street for their annual festival and sets the times and dates for usage. Smith moves to accept this resolution. Dan seconds. Roll call: all aye. The motion carried.

The Attorney read Resolution 8-3-12 which empowers the Mayor to sign the CDBG paperwork in the amount of \$500,000.00 (this is for a grant). Denham moves to accept this resolution. Dan seconds. Roll call: all aye. The motion carried.

The Attorney is pursuing the possibility of filing one suit for all delinquent tax bills (about 47 in all). He has read that this procedure is unconstitutional but another source says it is valid. He will pursue this matter. Attorney Vocke must file paperwork on 227 Shelby (Barnes) by August 15th. or we may lose the bill from 2006. He further stated that 23% of the delinquent bills will be in litigation. The Allen property on Rohman Avenue is the only one not in litigation. He will file on the Baker property (Boone), the Hildebrant property (Main and Boone) and the NuWay property (Rohman) and ask the Judge for a ruling. There are fees involved on the Baker and NuWay properties and about \$400.00 on the Barnes property as a "warning order" must be filed on this property in the event that there is another spouse (Mr. Barnes is deceased), children, etc. All of these persons need to be included. Smith moves to release these funds to the Attorney (the funds are to be taken from CEB funds) in the amount of \$900.00. Grimes seconds. Roll call: all aye. The motion carried. The Mayor stated that there is \$28,000.00 in outstanding delinquent tax bills due to the City. The Auditor and Smith have met and this will be noted on the audit report.

MAYOR'S REPORT

911 services were discussed. Kenton County will be moving forward. Plan A: allows for a \$6.00 fee to be placed on the electric bills (lawsuits are anticipated). Plan B: allows for an \$80.00 parcel fee to be placed on tax bills (only on the parcel, not the property). The fee would not be based on the property value.

The deadline for running for Council is August 14th.

The next Mayor's meeting will be held at the Ludlow Senior Center on August 18th. Most Mayor's meetings are being held at NKAPC. There is a charge for the catering. Grimes moved that Bromley be permitted to sponsor one of the monthly Mayor's meetings. Denham seconds. Roll call: all aye. The motion carried.

WAYS AND MEANS

A meeting was held with the Auditor and final entries were made to close the fiscal year at the end of June. It was decided that grass-cutting, etc. fees for Schutzman will be billed by monthly invoice and set up as a payable item so that it shows up in the year in which the work was performed. Grimes moves that we comply with the Auditor's request. Denham seconds. Roll call: all aye. The motion carried. Smith stated that the mileage on the Public Work's truck decreased from one month to the following month per our gasoline purchase receipts. The Mayor will pursue this matter.

PARK AND PLAYGROUND

A "movie in the park" night will be held on August 10, 2012. "Tangled" will be the featured movie. A movie screen has been ordered by the Mayor. No rain date has been set. Smith moves that Jobe be given \$200.00 for concessions for this occasion. Denham seconds. Roll call: all aye. The motion carried. If the "movie in the park" works out an account can be set up with the concession's company and the event will be advertised.

New swings and coated chains have been ordered for the play area at the park.

LICENSE REPORT

Rob is waiting for a list of the vehicle license update from the Treasurer. He will wait until after the 15th. to get an update on the rental licenses. Rob will have more on the Kenton County licenses at the September meeting.

INSURANCE AND GRANTS

The Mayor will make copies of the application fee for the CDBG for the River Road Sewer Project. He commented that the meeting did not go well for the citizens on River Road. Only two attended. The application has been put in place and must be filed by September 4th. NKADD and the Mayor met with some citizens from River Road. Kenton County may be able to give \$25,000.00 towards the project. A CDBG in the amount of \$147,000.00 could be obtained with the participation of the City. Thirty-five residences will be affected by an upcharge on their SD1 bills in the amount of \$20.00 for a twenty year period. This fee will remain on the properties if sold. Another public meeting will be scheduled. In the event of a "no response" it will show up as a "high income" response, so, all parties involved should respond.

Smith moves to accept all committee reports as presented. Jobe seconds. Roll call: all aye. The motion carried.

NEWS AND WEBSITE

CEB addresses and phone numbers will be removed from the website as the members are unable to make decisions. Schutzman's number will remain as will the Mayor's and Council members. Grimes' cell phone number will replace her home phone number on the website.

SECOND CITIZEN REPORT

No input

OLD BUSINESS

Denham was informed by the Attorney that selling the Traft property was a viable option but Schutzman should inspect the property first. The Mayor informed Smith that the HONK program was part of the consortium group and we are no longer a member. The Attorney stated that there is a "right of redemption" clause in cases such as the Traft property case which allows the former owner to buy back the property sold at the Courthouse within one year of the sale for the purchase price. The Attorney feels that the property will be hard to sell until the one-year anniversary of the sale. The Attorney suggests that we may want to allow Mr. Traft to rent the property from the City for one year. Mr. Vocke may send Mr. Traft a letter if the Council approves. Smith moves that the Attorney be authorized to send a letter to Tim Traft with the option to rent the property for a term of one year. Grimes seconds. Roll call: all aye. The motion carried.

NEW BUSINESS

The Attorney will review a sample ordinance from Kentucky League of Cities (KLC), obtained by Smith, in regards to sidewalk repair and/or replacement to see if we can do something about dangerous/bad sidewalks in Bromley. The Mayor stated that he allowed a \$200.00 assist fee to citizens when he was on Council in the past to be used towards sidewalk repair. The Mayor said that there are lien forms at the Courthouse allowing clerks/ Mayors to file complaints regarding sidewalk issues. The Attorney is not aware of such a form. Supposedly the Clerk in Ludlow can put blight liens on owners with bad sidewalks. The Attorney feels that the best policy is for us to do what Schutzman is doing now. Smith will write down the addresses in town where there are bad sidewalks and we may pursue from that point.

COMMUNICATIONS

The Clerk has a letter from KLC requesting our membership fees. This will be approved with the bills.

BILLS

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

The meeting adjourned at 8:27 p.m.

MAYOR _____

CLERK _____