

**Date:**11-Jul-2006

MINUTES

PARK HILLS CITY COUNCIL

REGULAR MEETING

JULY 11, 2006

The Park Hills City Council met in regular session on July 11, 2006, in the Council Chambers/ Courtroom. Mayor Clark called the meeting to order at 7:10 p.m. and City Administrator John Kennedy gave the invocation. The following members were found present upon roll call: Council Members Easter, Glore, Holloway, Kelly, Reed and Mayor Clark. Council Members Barnett, Cunningham and Dickerson were absent. Also present were City Administrator John Kennedy, City Attorney Ed Pultz, Deputy City Clerk Terri Richardson, Community Development Director Dale Thomure, guests and visitors.

Presentation by Horner & Shifrin

Ramin Ashrafzede, of Horner & Shifrin, was introduced by Administrator Kennedy and addressed the council.

Councilwoman Dickerson entered the meeting at 7:15 p.m.

Mr. Ashrafzede gave a detailed presentation with handouts on each section of the proposed Highway 8 Connector design plan showing options, indicating Horner & Shifrin's suggested option, and giving budget details for each section. After some discussion by the council showing concern about areas of high volume being proposed as asphalt rather than concrete, Ashrafzede assured the council that this presentation is preliminary and that those concerns could be addressed with bid proposals for both types of surfaces as the project progresses.

Councilman Reed made a motion to accept the proposed options by Horner & Shifrin for the Highway 8 Connector design as presented. The motion was seconded by Councilman Glore and the motion carried on the following roll call vote: Ayes; Council members Dickerson, Easter, Glore, Holloway, Kelly, and Reed. Nays; none.

PUBLIC HEARINGS AND ACTION THEREON

Case #2006-08 - Community Development Director Dale Thomure presented an application for a zoning district change from R-2 to C-1 as submitted by Andrew Inman for his property located at 501 Crane Street. Thomure explained that Mr. Inman had requested the zoning change in order to operate a business from his home and that he had been before the Planning & Zoning Commission on June 15, 2006. After careful consideration the Planning & Zoning Commission recommends denial of the request, as it is not the practice of the board to allow spot zoning. Mr. Inman's request did not qualify under the current Special Use Permit regulations, either. However, the commission suggests that if the City Council finds that the request is in the best interest of the citizens and of the City, that a change to the Special Use Permit section could be made by ordinance. The Mayor asked if there was anyone present who wished to speak on this case and the Inman's (Andrew and Abby) addressed the council. They told the council that they were unaware of the consequences that could

arrive from a zoning change and wish to withdraw that request. They did wish to apply for a special use permit to operate an automotive repair shop in their unattached garage. The Inman's promised to keep the property neat and would not let junk and debris set outdoors. The property was well kept as could be seen from the submitted photos. The Inman's thanked the Council for their consideration.

Mr. Harold Briley, owner of 504 Rueter Street, approached the council asking why he did not receive any notice of the public hearing or of the proposed request. Mr. Briley does not live at this property but is the owner of record. He was told that Dale Thomure would look into why he was overlooked on the mailing list. Mr. Briley said he was against the request to allow an automotive business at the property directly behind his.

David and Donna Ellis, residents of 420 Reuter Street, spoke in favor of allowing the business at 501 Crane, stating that they had personally known the Inman's for sometime and that the surrounding properties would not be negatively impacted by this business.

No one else present wished to speak, however, there was a letter submitted by Resident Virginia Blankenship in opposition of the request that was reviewed by the council. The Mayor closed the Public Hearing. A motion was made by Councilman Glore to table this item until the July 18, 2006, scheduled special session meeting. The motion was seconded by Easter and passed with all in favor and none opposed.

Case #2006-09 Community Development Director Dale Thomure presented a request from John W. Sloan for re-subdivision of property located at 216, 218, and 220 Fourth Street. The Planning and Zoning commission has reviewed the plat and found it meets city code requirements, therefore, the commission recommends approval of the request. No one was present to speak for or against this case. Mayor Clark closed the public hearing and then read Bill #708 two times. Councilman Glore made a motion to approve Bill #708, an ordinance approving the plat of the Sloan subdivision, a residential subdivision of land within the corporate limits of the City of Park Hills, Missouri. The motion was seconded by Councilman Kelly and carried on the following roll call vote: Ayes; Council members Dickerson, Easter, Glore, Holloway, Kelly, and Reed. Nays; none.

Case #2006-10 Community Development Director Dale Thomure presented a request from Christopher Jordan, et. al, for the re-subdivision of property located at the corner of Edgewood and Pine Streets (307 Edgewood). Planning and Zoning commission has reviewed the rather irregular lot lines and other aspects of the request and found that it does meet all municipal code requirements, therefore, the commission recommends approval. No one was present to speak for or against this case. Mayor Clark closed the public hearing and read Bill #709 two times. Councilwoman Dickerson made a motion to approve Bill #709, an ordinance approving the plat of the re-subdivision of Lots 14 and 15 of Block 30 of the Town of Flat River, a residential subdivision of land within the corporate limits of the City of Park Hills, Missouri. The motion was seconded by Councilman Glore but failed on roll call vote as follows: Ayes; Council members Dickerson, Easter, Holloway, and Reed. Nays; Council members Glore and Kelly. (Needs 2/3 majority or 5 in favor votes to pass).

#### Visitors and Delegations

No one registered to speak.

#### Minutes of Previous Meeting(s)

Councilman Reed made a motion to approve the Minutes of meetings from June 13, 2006 and June 27, 2006 as presented. The motion was seconded by Councilman Glore and carried with all in favor and none opposed.

#### UNFINISHED BUSINESS

Bill #710 – An ordinance amending Chapter 700 of the City Code by adding a new Section 700.015 Bulk Water Sales

John Kennedy, City Administrator, gave a brief presentation of Bill #710, which would allow the City to sell bulk water for specific rates and outlined rules and regulations for persons desiring to purchase water in bulk quantities, as well as, allow for prosecution of violators. The Mayor read Bill #710 two times. Councilwoman Dickerson made a motion to approve Bill #710 as presented and the motion was seconded by Councilman Easter. The motion carried on the following roll call vote: Ayes; Council Members Dickerson, Easter, Glore, Holloway, Kelly, and Reed. Nays; none.

Bill #711- An ordinance of the City of Park Hills, Missouri amending Chapter 250 related to City Park Regulations

Administrator Kennedy stated to the council that at an earlier work session, the council had recommended changes to the current ordinance regarding regulation of City parks. In reviewing the needed changes of Section 250.010 it was discovered that some new parks had not been added and some deletions needed to be made for parks that no longer exist. Kennedy presented Bill #711 for consideration. Mayor Clark read Bill #711 two times. Councilwoman Dickerson made a motion to approve Bill #711 – An ordinance of the City of Park Hills, Missouri amending Chapter 250 related to City Park regulations by repealing Section 250.010 and enacting a new Section 250.010 regulating traffic and conduct in City Parks. The motion was seconded by Councilman Glore and carried on the following roll call vote: Ayes; Council Members Dickerson, Easter, Glore, Holloway, Kelly, and Reed. Nays; none.

#### City Administrator's Report

City Administrator John Kennedy reminded the Council of an important annexation election being held in August and gave a brief report while answering some questions from the board. He passed out a map for reference of the proposed annexation and supplied a frequently asked questions list, as well as, a copy of a resolution passed by the Park Hills-Leadington Chamber of Commerce and one passed by the Park Hills Industrial Development Authority stating support for Proposition One.

Kennedy also reminded the Council that a special session meeting has been scheduled for July 18 at 6:00 p.m.

Administrator Kennedy mentioned that the workforce development building should be coming available soon (to house the public library). The employment office plans to move to the industrial park and we should have a lease agreement shortly.

Administrator Kennedy also passed along the numerous compliments he had received about the flags that were displayed downtown during the Firecracker Run on July 1.

## Mayor's Discussion

Mayor John Clark congratulated the Parks Department on the recent July 4th Fireworks display and said that he and Administrator Kennedy has received many requests to have the local radio stations play patriot music during the display. Local radio media was represented at the meeting and assured the Mayor that he could take the request back to the station manager.

## City Attorney's Report

No report.

## Council Discussion

Councilwoman Dickerson commended the Parks Department for the fireworks display and mentioned she would like to see the City have an expanded celebration with various events on July 4th.

Councilman Easter had no report.

Councilman Glore asked about the public works building project. Administrator Kennedy informed him that notice should be appearing soon in the local newspaper and the city would proceed with the "qualifications" portion of the process as soon as possible. The project will be bid by contractors for dirt work, erection of a building and inside finish work for the chosen site on Congress Street.

Councilman Holloway appreciated the fireworks display.

Councilman Reed asked about bids for curb and gutter work. Administrator Kennedy informed him that the measuring had been completed and work should begin next week. Reed expressed frustration at having so many projects that needed to be started and others that needed to be finished but did express appreciation for the City's effort to address the high volume of work.

Councilman Kelly complimented the fireworks display.

## Adjournment and reconvening in Executive Session

Councilman Glore made a motion, seconded by Councilwoman Dickerson, to adjourn the regular meeting and to reconvene in Executive Session to discuss matters related to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys as authorized by Section 610.021 (1) RSMo., leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore as authorized by Section 610.021 (2) RSMo., and hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded as authorized by Section 610.021 (3) RSMo., The motion carried with a roll call vote as follows: Ayes: Council Members Dickerson, Easter, Glore, Holloway, Kelly, and Reed. Nays; none.

Meeting adjourned at 8:45 p.m.

## Reconvene

Immediately following Executive Session the council reconvened in regular session with the Mayor calling the meeting to order at 10:15 p.m. and roll call being as follows: Council Members present were: Dickerson, Easter, Glore, Holloway, Kelly, Reed and Mayor Clark.

### Reconsideration of Bill #709

Councilman Glore made a motion to reconsider and approve Bill #709 – an ordinance approving the plat of the re-subdivision of lots 14 and 15 of block 30 of the Town of Flat River, a residential subdivision of land within the corporate limits of the City of Park Hills, Missouri. The motion was seconded by Councilwoman Dickerson and carried with a vote of 5 to 1 on roll call vote as follows: Ayes; Council members Dickerson, Easter, Glore, Holloway, and Reed. Nays; Kelly.

### Adjournment

Councilman Glore made a motion to adjourn the meeting. The motion was seconded by Councilwoman Dickerson and carried unanimously. Meeting adjourned at 10:25 p.m.