

MINUTES
PARK HILLS COUNCIL MEETING
REGULAR SESSION
MARCH 8, 2022

The Park Hills City Council met in regular session Tuesday, March 8, 2022, at the Park Hills Council Chambers. Mayor John Clark called the meeting to order at 6:00 p.m. Parks and Recreation Director Terry Cole gave the invocation and Mayor Clark led everyone in the Pledge of Allegiance. Roll call was as follows:

Councilman Alan Coleman	Present
Councilwoman Stacey Easter	Present
Councilwoman Cindi Penberthy	Present
Councilwoman Donna Dettmer	Present
Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Present
Councilman Adam Kell	Present
Councilman Steven Weinhold	Absent
Mayor John Clark	Present

Also present were City Administrator Mark McFarland, City Attorney Nathan Bollinger, Parks Director Terry Cole, Utility Director Frank Showlin, Community Development Director Rachel St. Pierre and City Clerk Terri Richardson.

VISTORS AND DELEGATIONS

Zebulin Schutte of 202 Woodbine addressed the City Council concerning a neighbor on Coffman Street who is making lots of noise all hours of the day and night by revving vehicles and spinning out. The Police have been called several times. The man makes threats, he has threatened the police, he has been in a recent fist fight with a neighbor up the street. The police were called because he had a dog tied to a concrete block and it was out in the middle of the street. The property is an eyesore, the stench is horrible and it is a scary and volatile situation.

Sara Wallace of 204 Woodbine addressed the City Council concerning the 300 Coffman Street property stating that she shares a property line with that address. Wallace stated that the last 2 years, since the current people have lived at 300 Coffman, has been terrifying. The domestic disputes and the threats make it impossible to be outside and that she and her family have been personally threatened. Wallace said she hoped by speaking up that maybe something can be done for the welfare of the children that live there and for the rest of the neighborhood. She has witnessed them using drugs, taking a gun and peeling out in the car, leaving the children unattended while they scream and cry. She said the trash in the back yard is at least 10 feet high. Wallace said she has reached out to them and tried to offer help, given them items, has tried to hire the oldest boy to do work for her around the yard, but they are threatening and make her afraid. The police are called on a regular basis but nothing seems to be done. She described the man as a “bully” and a “con-artist” who terrorizes the entire neighborhood and picks fights and is hoping something can be done. Wallace said she would be willing to go in with some volunteers and clean up the property and then maybe the City could make the family do community service.

Jessica Michelle Brown of 204 Coffman stated that she lives next door to 300 Coffman and she is constantly getting the brunt of the trash that blows into her yard from their unkempt trash pile. She witnessed him trying to move a boat to the back and was afraid he was going to hit her or another neighbor’s car. Brown said she is in constant fear

of a shooting and cannot go outside, due to fear and the stench, and hopes that by coming out tonight, something can get resolved.

Tracy Johnson of 205 Woodbine stated that she lives across the street from 300 Coffman and has lived in her current home for 19 years. She stated the mice, roaches and other vermin have become a terrible issue and one she never had until these particular people moved in a couple of years ago. The trash is a huge problem and piled outside, everywhere, causing a terrible smell and, at one time, there was a commercial dumpster overflowing with garbage. The children are not in school. Johnson questioned as to why DFS (Department of Family Services) hasn't stepped in and done their job? The kids are in diapers during cold weather, out in the street sometimes, totally unattended to. The threats and domestic violence have made her consider moving but that property is so bad, it brings down everyone else's value.

Martha Diana Young of 204 Woodbine stated that the City Council can speak to the violations of trash, parking and other issues covered by ordinances but payment plans should not be extended for public health and safety violations. Young stated that the property (300 Coffman) has a very nasty backyard full of garbage and trash and stated it is leaching down into the creek. Young implored the City Council to not allow payments to go on and on and to consider that the City may not be protecting its citizens when it comes to health and safety. She stated her bedroom is close to the house and she is disturbed by all of the activity that goes on at night involving cars coming and going, the fighting and is worried she will get shot while in the bedroom. She believes there are 4 or 5 people living there that are unrelated and way too many cars parked haphazardly on the narrow street. She believes the City can enforce violations on the unlicensed vehicles and now, a boat. There was a wreck just today and there have been several on this street recently as it is hard to see and travel around all the cars and they drive too fast. Young said that the City should have a duty to protect the public health and safety of residents from the vermin, horrible stench and garbage leaching into the creek and should not allow payments on these fines.

Mayor Clark's response was to sincerely thank all the residents who were brave enough to come and speak on this important issue and wanted them to know that they were heard by the entire City Council. He too is disgusted by the conditions of this property and the conditions that residents in the area are forced to endure because of it and the behavior of the individuals who live there. He held up an extensive stack of papers that he said were citations, warnings, tickets, notices of violations, and other court reports that indicated both Code Enforcement and the Police Department have been there numerous times and the resident have been summoned to municipal court on many occasions, but agreed that this is not solving the issues. City Attorney Nathan Bollinger spoke briefly about the processes and rights of the individuals and how the City is limited as to what can be done. Personal property cannot be taken off and due to Senate Bill 5, and you cannot put someone in jail for not paying fines. He stated that the City can look at the dangerous building codes and abatement processes to see if they can find another approach and suggested looking at filing charges through circuit court. Mayor Clark concluded the visitor portion of the meeting by telling the residents that they were heard loud and clear and this problem will continue to be addressed and new avenues sought to clean up the property. He thanked them for coming and speaking up.

MINUTES

Councilman Coleman made a motion, seconded by Councilwoman Penberthy to approve the minutes of February 8 and February 22, 2021 as presented. *The motion carried with all in favor on voice vote and no one opposed.*

DEPARTMENT HEAD REPORT

Frank Shovlin, the Utility Director, reported that progress is being made on the water plant project (inside), and should be completed by June. Phase 2, the outside project, will begin later. Radio read meters are almost completely installed, still working on some commercial ones, and our meter reader Brayden Dettmer is able to read in about a day and half what used to take weeks. The wastewater plant electrical panel repairs are progressing but, unfortunately, we are stalled waiting on parts. The walkway replacement is slow going too, due to the shortage of workers on the crew hired for the job. Shovlin said they are experiencing delays in orders but they have some inventory and neighboring communities are a good source too. He stated that three employees have completed the internship program and will "graduate" in July with certificates as water distribution operation and one is getting ready to test. He says that two more are getting ready to start the program. Shovlin says that they have experienced some vandalism lately, with an employee stopping one in progress on a booster station. A door was kicked in at the water plant and they had a car towed from the wastewater plant property that had cut the fence to enter the property and then got hung up. Shovlin said he is considering adding cameras to help with safety issues. The recent heavy rains have them checking plants more often. Councilman Kell asked if they had made any progress finding the source of the leak in Leadington and Shovlin replied that they would eventually. He said it appears to be located around the car wash. Mayor Clark thanked Shovlin for his report.

DISCUSSION ITEMS

Committee Reports:

Pool Committee Chairman Adam Bowers was absent but member Stacy Easter said that they had met and discussed signage and preparation work for Proposition SWIM. Another meeting is already set and notice will be sent out soon.

Utility Committee Chairman Adam Kell said the committee had met and Frank Shovlin had covered most of the items that were discussed in his earlier report.

Code Section 150 City Cemeteries

Community Development Director Rachel St. Pierre addressed suggested changes to the municipal code concerning city cemeteries and the fees associated with that code. St. Pierre said this was mostly a "housekeeping" item with some antiquated language changes and small adjustments that would affect the two City cemeteries - Hampton and K of P, both of which are completely sold out, one completely full. No action was taken and St. Pierre indicated she would have an ordinance for consideration of these changes in the near future.

UNFINISHED BUSINESS:

Bill #1501 – An Ordinance authorizing the Mayor to execute an agreement with Macqueen Equipment for ladder rack actuators for the fire department. Mayor Clark read Bill #1501 two times by title. Councilwoman Dettmer made a motion, seconded by Councilman Coleman to approve Bill #1501 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Yes
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

The motion carried with a vote of 6-0.

Resolution #243 – A Resolution implementing policy regarding body worn cameras for the police officers and adopting said policy into the police department Policy and Procedure Manual. Mayor Clark read Resolution #243. Councilman Whitfield made a motion, seconded by Councilman Kell to approve Resolution #243 as presented. *The motion carried with all in favor on voice vote and no one opposed.*

Resolution #244 – A Resolution authorizing the distribution of a request for proposals for the Downtown Park Hills Redevelopment as part of the Beautification Initiative for the Downtown Park Hills Redevelopment area, TIF 4. Mayor Clark read Resolution #244. Councilman Coleman made a motion, seconded by Councilwoman Penberthy to approve Resolution #244 as presented. *The motion carried with all in favor on voice vote and no one opposed.*

Resolution #245 – A Resolution declaring surplus property and a method for disposal therein. Mayor Clark read Resolution #245. Councilwoman Dettmer made a motion, seconded by Councilman Whitfield to approve Resolution #245 as presented. *The motion carried with all in favor on voice vote and no one opposed.*

Bill #1502 – An Ordinance adding a new offense in Section 210.440, misuse of 9-1-1 Emergency System prohibited. Mayor Clark read Bill #1502 two times by title. Councilwoman Dettmer made a motion, seconded by Councilman Coleman to approve Bill #1502 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Yes
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

The motion carried with a vote of 6-0.

Bill #1503 – An Ordinance adding a new offense Section 210.620. begging and loitering prohibited. Mayor Clark read Bill #1503 two times by title. Councilwoman Penberthy made a motion, seconded by Councilman Kell to approve Bill #1503 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Yes
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

The motion carried with a vote of 6-0.

NEW BUSINESS

Resolution #246– A Resolution authorizing the Mayor to enter into a contract with Century Elevator Services, Inc. for the maintenance of the library elevator located at 224 S. Coffman Street. Mayor Clark read Resolution #246. Councilman Coleman made a motion, seconded by Councilman Whitfield to approve Resolution #246 as presented. *The motion carried with all in favor on voice vote and no one opposed.*

Bill #1504– An Ordinance amending Chapter 500 of the municipal code for adoption and amendment of 2021 IRC appendix AQ pertaining to tiny homes. Mayor Clark read Bill #1504 two times by title. Councilman Coleman made a motion, seconded by Councilman Kell to approve Bill #1504 as presented. Roll call was as follows:

Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes
Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Yes
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

The motion carried with a vote of 6-0.

CITY ADMINISTRATOR’S REPORT:

City Administrator Mark McFarland stated that this is the first full week of March and spring is almost here, however, the prediction of snow later this week is typical of Missouri and the City is prepared with plenty of salt and cinders, if needed.

McFarland informed the City Council that last Friday was Employee Appreciation Day and he wanted to thank all the employees for what they do to keep the city running efficiently and serve its citizens, as it makes his job easier. He prefaced this with the fact that the pandemic is slowing and the CDC has announced that it is safe to return to in-person work, which the city employees have been doing all along, and have done a great job at keeping each other and the public safe.

The Senior Nutrition Center plans to finally open for dine-in customers on April 11th and Director Holly Buxton is planning something special for this event to welcome people back. The center has continued to serve homebound and curbside customers but has been closed to in-person dining since Spring of 2020. Councilwoman Dettmer asked if the library will open to the public as well, and was told that they have been open for some time and had started to have in-person programs.

McFarland concluded his report by stating the effect that current rising inflation will have on the City with the shortage of supplies, higher prices and increasing fuel costs will have on the already tight budget. McFarland said that this may lead to a spending freeze in the next few months but assured the Council that department heads are finding ways to conserve fuel and save on needed items.

CITY ATTORNEY’S REPORT

No report.

MAYOR'S APPOINTMENTS AND DISCUSSION:

Mayor Clark asked the City Council to approve his appointment of Chris Hulsey and Jodi LaChance to the Library Board of Trustees. Councilwoman Penberthy made a motion, seconded by Councilman Whitfield to approve the appointment as presented. *The motion carried with all in favor and no one opposed.*

Mayor Clark, again, expressed his appreciation for the citizens that attended and addressed their concerns with the City Council. He knows that there are similar situations throughout the town and plans to stay vigilant in addressing them. Clark said he believes we will get results using tools we have and every avenue available and really appreciated the way everyone conducted themselves and asserted their rights.

CITY COUNCIL DISCUSSION

Councilman Kell stated that he had received a call from Ms. Wallace (one of the speakers) and had encouraged her and the neighbors to attend tonight and he was proud that they did just that.

Councilman Whitfield wanted the public to know that the police are limited as to what they can do in this type of situation but he trusts the process and emphatically pledges to help get it resolved.

Councilwoman Dettmer said that a resident had asked her about getting a storm drain cleaned out in the 200 block of Shaw Street. She also asked if the huge pothole on East Elvins Blvd could also be addressed. Dettmer was informed that the pothole had, in fact, been addressed today and public works will be asked to clean out the Shaw Street ditch.

Councilwoman Penberthy asked why the sidewalk, which is buckled up severely, at Norwine and Keith has not been repaired. City Administrator McFarland responded that public works currently have a lot on their plate with Haney Park changes and the Countrymart building demolition but assured her this is still on their list and will be addressed in time.

ADJOURNMENT TO EXECUTIVE SESSION

Councilman Kell made a motion, seconded by Councilwoman Easter to adjourn to executive session as requested by Mayor Clark to discuss matters related to:

- (1) 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.,
- (2) 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 authorize by Section 610.021 (2) RSMo.,
- (3) 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.

Roll Call was as follows:


Councilman Alan Coleman	Yes
Councilwoman Stacey Easter	Yes
Councilwoman Cindi Penberthy	Yes
Councilwoman Donna Dettmer	Yes

Councilman Adam Bowers	Absent
Councilman Brian Whitfield	Yes
Councilman Adam Kell	Yes
Councilman Steven Weinhold	Absent

The motion carried with a vote of 6-0. The meeting adjourned at 7:48 p.m.

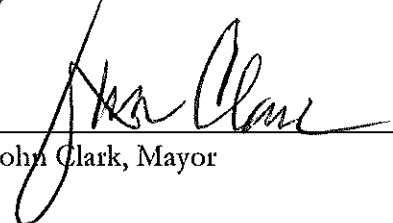
ADJOURNMENT

The City Council reconvened in regular session and Councilman Coleman made a motion, seconded by Councilwoman Easter to adjourn. *The motion carried with all in favor and the meeting adjourned at 9:00 p.m.*



Terri Richardson, City Clerk

Approved by City Council this 12th day of April, 2022.



John Clark, Mayor

