

**MINUTES
PARK HILLS CITY COUNCIL
REGULAR SESSION
MARCH 12, 2013**

The Park Hills City Council met in regular session Tuesday, February 12, 2013, at the Park Hills Council Chambers. Mayor Easter called the meeting to order at 7:00 p.m. The invocation was given by Councilman Cunningham and the Pledge of Allegiance was said by all. Council Members present at roll call were Gordon, House, Reed, Cunningham, Polite, and Mayor Easter. Also present were City Attorney Ed Pultz, Assistant City Administrator / Community Development Director Matt Whitwell, Economic Development Director Norm Lucas and Deputy City Clerk Paula Lee. Absent were Council Members Cruse, Dickerson and Kelly.

Visitors and Delegations

No one registered to speak.

PUBLIC HEARINGS AND ACTION THEREON

Mayor Easter opened the Public Hearing at 7:05 p.m. to hear input from the public concerning Planning & Zoning Case #2013-002.

Mr. Whitwell passed out a letter from an adjacent property owner voicing their concerns as well. Then Mr. Whitwell explained to the Council the House of Praise's project.

City Attorney Ed Pultz reminded the Council Members that the decision to approve or deny the request was administrative and not legislative. Pultz explained this is not a legislative decision. You (the council) made a legislative decision when you chose to allow special uses. This is an administrative decision, and what that means is you have to have evidence to make whatever decision you make.

Mr. Whitwell then introduced Mr. John David Limp as the representative for House of Praise.

Mr. Limp spoke to the Council about concerns that they had heard that the duplex was going to be a halfway house or boarding home. He told the council that the R-2 Zoning does not allow this and that they would be following the Special Use Permit regulations.

Several residents were there to voice their concerns on the construction of a duplex in a single-family house zone.

Rebekah Martin resides at 500 S. Firmin Street and had some concerns about the type of people that would be living in the duplex and possible drug usage and also had concerns about the traffic. She also said that she has kids that she worries about.

Jan Sundhausen lives at 419 Meadow Street and she stated she was concerned with what kind of problems this would create if they start changing the zoning. She did not want the property to become rental and was worried that it might become HUD approved. She also mentioned that she was concerned with how this would affect her property value. She also stated that it would add to existing traffic problems, stating "Currently, you cannot get past an oncoming car due to the narrowness of the road."

Tamara Marberry resides at 417 Evans Row and she doesn't think they should rezone for rental property. She previously lived next door to HUD approved housing and had four different renters in one year. She stated, "There are 14 children living within the two blocks of the street. The traffic is awful."

Wayne Martin who lives at 400 S. Firmin Street said that he has asked previously about signs for Children at Play, but was told that was against the law. He said that he was concerned with the traffic because of the children, and that there are 11 children living in one block.

Mr. Willy Sheets lives at 404 Stephens Street and he expressed his concern about the Emergency Vehicles not being able to drive on the Street (not wide enough).

Mr. Chris Stringham resides at 412 Evans Row as well and he just wanted to say he was concerned about the traffic and Emergency vehicles being able to respond to calls.

Councilman Reed asked if House of Praise has any rental homes anywhere else.

Mr. Limp told the Council that he didn't know if they had any other rentals. Again Mr. Limp explained that the duplex would be rented to families and would comply with zoning and special use regulations.

Mrs. Sundhausen again mentioned the rezoning of the property.

Ed Pultz, City Attorney, explained that the Council was not rezoning this property, it was zoned R-2 and as per the City Code, they could allow a duplex to be constructed on it.

Councilman Cunningham expressed his concerns on the issues this Special Use Permit has.

Again, City Attorney Ed Pultz explained the legal point concerning the Special Use Permit.

Mr. Whitwell told the Council that he had checked with the Utilities Dept. and there would be no problem with them concerning the duplex.

Mrs. Marberry asked if they allow this Special Use Permit are they going to be widening the Streets and would they request that the property owners give up their land for this?

Councilman Gordon asked if the property was large enough for three residential homes to be built? Mr. Whitwell said that there was.

Councilman Cunningham said that he would have to abstain on any voting concerning this matter since he has property on Smith Street. He also stated that he does have respect for the community coming out and speaking their concerns.

Mr. Whitwell told the Council if no action is taken on this Special Use Permit then it would be automatically considered rejected within 35 days.

There being no further comments, the Public Hearing was declared closed by the Mayor.

Councilman Reed made a motion to table both Case #2013-002 and Case #2013-003 Request for Special Use Permit and to set a Public Hearing again for these two cases on April 9 at 7:00 p.m. and for staff to republish the notice. Seconded was by Councilwoman House. Roll call vote was as follows: Ayes; Council Members Cunningham, Gordon, House, Politte and Reed. Nays; None. *The motion carried.*

Minutes of previous meeting(s)

Mayor Easter informed the Council that they needed to change something in the Work Session minutes. Under discussion Items (Request for Smoking Ban in Public Buildings), the Mayor suggested we needed to state "they were not in favor" to "those who responded were not in favor".

A motion was made by Councilman Cunningham and seconded by Councilman Reed to approve the minutes after the corrections are made of the meetings held February 12 and 26, 2013. *The motion carried with all in favor on voice vote.*

Mr. Kennedy was out ill, so Mr. Whitwell reported for him.

City Administrator's Report

Haney Park Remediation :

Mr. Whitwell explained that they had some concerns about drainage, so Mr. Kennedy and Mr. Whitwell had a meeting with Doe Run on this issue.

Street/Sidewalk Projects:

Utility Projects:

Community Development Resumes:

Mr. Whitwell informed the Council that at this time they have received 21 applications for the Community Development Directors position. The deadline for applications will be on March 15, 2013.

Other:

Mr. Whitwell told the Council that the position for Water Clerk has been offered internally and the last day for someone to apply is March 15, 2013.

Also Mr. Whitwell would like to remind the Council of the Hump Day BBQ that is sponsored by the Chamber Office which will be on March 20, 2013

Mayor's Discussion

Mayor Easter had nothing.

Council Discussion

Councilman Politte asked Mr. Whitwell about the status of 207 Hampton Ave., the house had burnt and was in probate court. Mr. Whitwell informed the Council that we were still waiting on this to be settled thru the Court.

Mayor Easter asked about the house up on Adams Street as well. Mr. Whitwell informed them that they were still working on that house as well.

Councilman Politte then asked Mr. Whitwell about the Old brick building on E. Elvins Blvd. next to the bridge. He wanted to know if there was something we could do about the graffiti that is on it as well as getting something done to the building.

Mr. Whitwell explained to the Council the procedure that it takes to get a building condemned.

Councilman Politte asked if we could contact the owner of the building and ask them to take care of the graffiti.

Councilman Cunningham asked if we had an Ordinance pertaining to graffiti.

Mr. Whitwell told the Council that he and the City Attorney have been looking into such things.

Councilman Reed mentioned the old Vacuum House and a house down on Rinke Street as well as the house on Hampton Street. He said that we need to start getting aggressive on the dangerous buildings.

Mr. Whitwell told the Council that he has been meeting with Ed Pultz on this concern.

The Council asked if Mr. Whitwell could prepare a presentation concerning property maintenance code and bring it back to them at the April work session.

UNFINISHED BUSINESS

Bill #1037 – Bauman Redevelopment Agreement

Bill #1037 was read two times by title. A motion was made by Councilwoman House and seconded by Councilman Gordon to approve the bill as read. Roll call vote was as follows: Ayes; Council Members House, Politte, Cunningham, Reed and Gordon. Nays; None. ***The motion carried.***

Bill # 1038 - An Ordinance Amending Chapter 600 Concerning Alcoholic Beverages

Bill # 1038 was read two times by title. A motion was made by Councilman Cunningham and seconded by Councilman Politte to approve the bill as read. Roll call vote was as follows: Ayes; Council Members Cunningham, Gordon, House, Politte and Reed. Nays; None. ***The motion carried.***

NEW BUSINESS

Bill # 1039 – An Ordinance Amending Chapter 210 Prohibiting Funeral Protest Activities

Bill #1039 was read two times by title. A motion was made by Councilwoman House and seconded by Councilman Cunningham to approve the bill as read. Roll call vote was as follows: Ayes; Council Members House, Politte, Cunningham, Reed and Gordon. Nays; None. ***The motion carried.***

Proclamation Declaring April as Fair Housing Month

A motion was made by Councilman Cunningham and seconded by Councilman Politte to Proclaim April as Fair Housing Month. ***The motion carried with all in favor.***

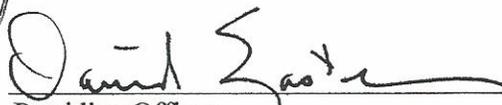
City Attorney's Report

City Attorney had nothing at this time.

Adjournment and Reconvening

There being no further discussion, a motion was made by Councilman Cunningham and seconded by Councilman Politte to adjourn the meeting. ***The motion carried with all in favor and the meeting adjourned at 8:14 p.m.***

DULY READ and passed this 9th day of April, 2013.


Presiding Officer

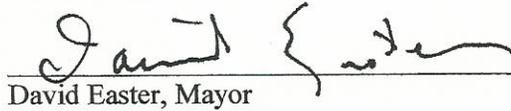
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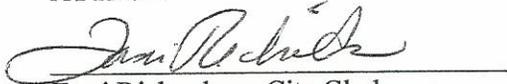
(SEAL)

Terri Richardson, City Clerk

APPROVED this 9th day of April, 2013


David Easter, Mayor

ATTEST:



(SEAL)

Terri Richardson, City Clerk