

**Janet Gardiner**

**From:** Janet Gardiner [danjanny11@zoomtown.com]  
**Sent:** Wednesday, August 17, 2011 1:44 PM  
**To:** City of Bromley; Donnie Jobe; Gail Smith; Janet Gardiner; Mike Denham; Patty Grimes; R. Kim Vocke; Radford, David; Rob Gardiner  
**Subject:** minutes

MINUTES-WEDNESDAY-AUGUST 3, 2011 PAGE 1

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

Officers answering to roll call: Smith, Denham, Rob Gardiner (Rob), Mayor Radford, Dan Gardiner (Dan), Grimes and Jobe.

The minutes from the July meeting were approved on a motion made by Grimes with a second by Jobe. Roll call: all aye. The motion carried.

**FIRST CITIZEN REPORT**

Junior Creekmore thanked the Mayor and Council for the honor of naming a day after him and the plaque for his many years of service to the City of Bromley.

Mr. and Mrs. Keinker, owners of the old Keyhole are present.

Schutzman has drafted a list of his recommendations for this property and would like to have the Mayor and Council review the list and give some input regarding their feelings about this matter. Schutzman has a lot of stipulations on the list and some questions for the City Attorney that he would like to discuss privately.

Keinkers were in attendance last month and asked that they be permitted to have a Chicago hot dog business open at their property and that they be permitted to serve beer during the business operating hours.

The area is not zoned for a bar and there would be a condition that the serving of beer has to be tied to the selling of food. If the business does not work the beer would no longer be permitted to be sold. The City is not giving permission for a bar. The IP zone would have to be revisited for this area due to not enough land, flood zone, the conditional use for the bar would be reviewed annually. If the building is sold the buyer does not get the business. They would have to come back to the City. The alcohol license is in the name of the arcade.

Schutzman stated that the Keyhole was a non-conforming use and was grandfathered in. The City can include some things in the IP zone and add some permitted uses without changing the zone. If the zoning is changed a public hearing is required and the matter would go before the Area Planning, but the City would make the final decision.

Grimes stated that if the closing time is set for 11:00 p.m. by the City there is to be no one staying after that time.

Keinkers wanted to set the hours for Friday-Saturday closing at 11:00 p.m. and Sunday at 8:00 or 9:00 p.m.

Schutzman feels that there is enough street parking to accommodate customers.

Smith had a general issue with the presentation for the business. Keinkers approached the City several years ago claiming to have a beer license and Smith is concerned that they may take advantage of the City. She also could not find the Mt. Carmel's other location for this business. The Keinkers stated that the other business is located in Delhi.

Another concern that Smith has is that during an open burning Ludlow Police Department (LPD) was called and, per a report that Smith has read, Mrs. Keinker had made a statement that the officer "didn't know who he was dealing with". Ms. Keinker said that she did not make that statement. The Mayor stated that, since that incident, no other issues have taken place at that location.

Denham thinks that the business should be allowed for a one-year period. The City can control the business year-by-year.

Schutzman will send a list of his recommendations to the Keinkers after he speaks to the Attorney.

Denham moves that the City proceed, with Schutzman's approval. Jobe seconds. Roll call: 5 ayes. Smith votes no. The motion carried.

## **BUILDING INSPECTOR**

Code Enforcement Board (CEB) met this evening. An updated list of liens has been distributed.

1766 Highwater Road owner was to be here tonight. He did not attend and was not here last month either. The

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property is not in compliance. Schutzman and the CEB will pursue this matter.

401 Main has been sold.

120 Short is in the hands of the Master Commissioner.

242 Kenton is to be sold by a bank in September.

15 Shelby is to be sold. The bank wanted the City to forget the lien. This request was denied.

On June 8, 2011, the legislation was changed and notifications regarding blighted properties can be sent through the post office.

Grimes stated that 109 Moore Street looks horrible. Schutzman will pursue but can do nothing if HUD has taken over the property.

Smith reported that Mr. Tucker, owner of 117 Short, was in the office and requests that one trash collection be removed from his tax bill as the garage is not being used as a residence. Schutzman stated that, until the owner puts a garage door on the building and strips that property, it will be billed as two residences. It is still listed as two properties with the PVA office. Smith will notify the office.

Grimes moves that the City go with Smith's recommendation regarding this matter. Smith seconds. Roll call: all aye. The motion carried.

## **LAW COMMITTEE**

Jobe complained about kids in the park after hours. LPD does drive by, but the situation remains the same. Ben Johnson suggests that Jobe contact dispatch at the time that a complaint is made so that an officer is sent immediately.

A resident has been seen with a weapon at or near the park. LPD cannot pursue this matter as the person has a license to carry the weapon. They can only pursue if the person pulls the gun. If he points the gun at someone he goes to jail.

Schutzman informed Grimes that 5 Boone is vacant. He is not sure about 7 Boone.

Schutzman stated that there were two issues with the Tewes property at Shelby and Pleasant. One issue is pending. The Mayor has signed a letter for the Chief to be sent to the property owner. When LPD explained the situation to Mr. Tewes and told him what could happen the tenant was removed immediately. Mr. Tewes works well with LPD.

## **FIRE DEPARTMENT REPORT**

Chief Weaver contacted the Mayor informing him that he was unable to attend tonight's meeting.

The storm warning siren will continue to blow on the first Wednesday of the month at noon. If the siren is heard at other times it is to be considered a tornado warning as a funnel cloud has been spotted.

The fire department's festival will be held this Friday and Saturday. All volunteers are welcome.

The fire department will advertise for bids on the old fire truck as soon as the title is released. The old squad will go on sale also with sealed bids being accepted.

#### **HALL COMMITTEE**

Dan thanked Mark Rodgers for moving the flag pole as the flag was blowing into the gutter. A light for the flag was installed by the Mayor.

Denham repaired the office air conditioner two times at no charge to the City.

All building repairs have been completed. An overflow problem has been corrected.

Mark Rodgers may purchase some sealer and use it on the brick wall where there was a leak into the building.

The extra charge for the overflow issue was \$650.00. The City is supposed to get \$691 back from the insurance company.

Dan reported that the contractor did a final spot check where the buildings joined and found a spot that they believe caused water to leak into the fire department's bay. They have corrected this situation.

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Schutzman stated that the newspaper reports that refunds from FEMA were approved.

#### **ROAD AND LIGHT**

Denham is to pursue the purchase and replacement of street signs where needed. There are new signs in the building at the park that can be used.

The Attorney and Mr. Pennick have been working on the paperwork regarding the placement of a recycling dumpster.

Denham may purchase concrete to repair a pothole on Hayward.

Denham is still pursuing the repair of the alley.

"Children at play" signs are being pursued for an area at the mid-block of Shelby Street. Residents have been complaining about fast driving in the area of the park and playground.

#### **ATTORNEY REPORT**

The State has received our paperwork regarding HB 413 money.

The Attorney read Ordinance 7-1-11 for the second time. This ordinance allows the Mayor to make all committee appointments. Smith moves to accept this reading. Rob seconds. Roll call: all aye. The motion carried.

The Attorney read Ordinance 7-2-11 for the second time. This ordinance changes the date of the September meeting to August 31, 2011 at 6:30 p.m. Smith moves to accept this reading. Denham seconds. Roll call: all aye. The motion carried.

The Attorney read Ordinance 8-1-11 for the first time. This ordinance amends the 2010-2011 budget. Smith moves to accept this reading. Denham seconds. Roll call: all aye. The motion carried.

Foreclosures have been filed on 238 Boone and 117 Rohman.

The Attorney has asked that the Judge make a decision regarding the declaratory judgment that was filed. He feels we should hear something within the next several weeks.

The Attorney informed Smith that Tim Traft has filed Chapter 13 bankruptcy on his property on Shelby Street. The City is in a five-year agreement whereby we receive some form of tax payment. The check that was received is to be applied to one of the delinquencies.

## **MAYOR'S REPORT**

The matter regarding the Northern Kentucky Area Planning (NKAP) was a main area of discussion.

Schutzman explained that, basically, cities have to have the Municipal Planning Commission. KRS says that this portion of the government has to exist. NKAP provides service to this Commission but has continued to grow and grow and needs to be shrunk back down to size. NKAP charges a fortune for permits in order to keep afloat. They provide services that Schutzman already does for the City of Bromley.

The Mayor stated that two of the Mayors want to review their budget and get costs down. The Mayors from the group do not want to do away with NKAP. They just want them to scale back.

There is talk about getting the issue on the ballot for dissolution of NKAP.

The next Mayor's meeting is on August 20<sup>th</sup> at the Kenton County Golf Course.

Mark Rodgers attended a meeting regarding Storm Water Compliance. The Sanitation District (SD1) is ready to go into phase two of this plan. They are trying to educate cities as to what is expected and what needs to be done per the interlocal agreements that were signed. There is to be an audit this month. Bromley has posters that are up and changed monthly, magnets and a toolbox are all in the office.

Junior reported that he had drained oil from park equipment slowly into five-gallon cans and removed it to Kenton County. All was done legally.

The Mayor reports that there is a lot of catch basin work in the City. Mark Rodgers will pursue.

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Mark Rodgers reported that the weed eater has been repaired.

Prisoners will be in town to do some work on Thursday. The Mayor suggests that they might want to clean up areas by the City entry signs, paint some curbs yellow, and clean up the park and the lot rented from SD1.

## **WAYS AND MEANS**

Smith reports that the Treasurer has collected \$19,700 so far in tax revenue which is about 25% of the budgeted amount.

All accounts are separate now.

LPD has been paid the first installment for police protection and Bledsoe has been paid his balance for curb work.

A certificate of deposit will come due in September. Smith plans to roll it over for a nine-month period. Interest on this CD was approximately \$110.00.

Dan would like for the City to supply some shirts (yellow) for Mark Rodgers for safety purposes as he is working to keep the City streets cleaned. It was also discussed that the Mayor and Council purchase shirts with City logo. Prices will be checked at Hater's. Possibly the interest from the CD can be used for these purchases. The Mayor may get a digital picture of the City logo to be used. It was stated that the Council and Mayor could purchase their own shirts.

## **PARK AND PLAYGROUND**

The weed eater was repaired at a cost of \$64.00. There was diesel fuel in the engine.

Rodgers has parts to repair the bench. It had to be taken back to Steidle as it was welded incorrectly.

Jobe is looking into "movies at the park" for youths. He will pursue and report on this project for next month.

### **INSURANCE AND GRANTS**

Grimes has no input due to the amount of time she has been spending on the festival. She may contact Walmart regarding the donation of a movie screen for the park.

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

### **NEWSPAPER/WEBSITE/LICENSE**

Greg Rechten has been looking at the status of our ordinances and was told by the Attorney that the last recodification was done around 2003. He will pursue this matter. Council would like to check ordinances before the final draft as it is felt that some of the ordinance information changes during the recodification. The Attorney stated that the company makes changes consistent with State laws. Schutzman stated that the cities of Ludlow and Villa Hills saw changes regarding building matters being removed after recodification of their ordinances. The company stated that the City is given a copy to review first so they are not responsible if a problem arises afterwards.

Rob reports that there is a link to N.KY Health Department. Information regarding "no smoking" can be shown by using this link.

Rob will check to see if Ludlow is having a second Citywide yard sale so that Bromley can possibly schedule one for the same date.

The Mayor feels that the word is getting around that Bromley now has a website.

### **SECOND CITIZEN REPORT**

Ben Johnson suggests that Bromley upgrade the ordinance regarding noise. He feels that ours is now outdated. Johnson will send a copy of Ludlow's ordinance regarding this matter to Bromley's Attorney so that an ordinance can be prepared.

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Rob may put an article in the local newspaper informing the citizens of the fact that inmates will be working on street cleaning in Bromley.

### **OLD BUSINESS**

The Mayor mentioned that the committee set up last month regarding the police service has not set a meeting as yet.

This should be done.

### **NEW BUSINESS**

Smith mentioned the possibility of the City joining the Kentucky League of Cities. The Attorney stated that we were members at one time and that this organization has good resources. Grimes moves that we join the Kentucky League of Cities. Dan seconds. Roll call: all aye. The motion carried.

The Attorney is to pursue the recodification of ordinances which was done the last time in 2003. The company that did the recodification has all of the information and he suggests going with them again.

### **COMMUNICATIONS**

None

**BILLS**

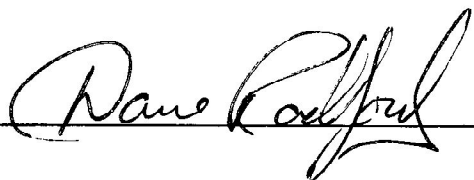
Smith moves to pay the bills. Denham seconds. Roll call: all aye. The motion carried.

Grimes moves to go into executive session to discuss personnel. Jobe seconds. Roll call: all aye. The motion carried. (8:00 p.m. per Mayor).

Grimes moves to end executive session. Jobe seconds. Roll call: all aye. The motion carried. (8:40 p.m. per Mayor).

The regular meeting of Council was adjourned at 8:49 p.m.

MAYOR



CLERK

