

The regular meeting of the Bromley Council began at 6:00 p.m. with a pledge to the flag.

Officers answering to roll call: Mayor Denham, Mike Kendall, Dianne Wartman, Nancy Kienker. Attorney Vocke, Dave Radford, and Gail Smith. Tim Wartman is absent.

Smith moves to accept the July 2019 minutes. Radford seconds. Roll call: all aye. The motion carried.

Gailen Bridges, Planning and Development Services (PDS) representative for Bromley addressed the Mayor and Council. Mr. Bridges has been appointed to the Implementation Committee, which fine tunes the five-year plan. He has attended all meetings. Any matters that may in some way involve the City of Bromley and surrounding cities are emailed, by Mr. Bridges, to Mayor Denham. Mr. Bridges appreciates the opportunity to serve Bromley and would like to be reappointed as Bromley's representative when the time comes.

#### **CITIZEN REPORT**

Larry Hamant, Pleasant Street, has had a conversation with Rumpke regarding his trash collection bill. He does not feel that he should be billed for recycling if he chooses not to recycle. The Mayor stated that, per contract between Bromley and Rumpke, all citizens are billed for this service. Dianne informed Hamant that trash collection fees are cheaper with recycling. Hamant stated that this is because there were two days of trash collection in the past and now there is only one. Smith stated that recycling is part of the contract and cannot be broken. The service is a one-time, lump-sum bundle package and was approved by Council on behalf of the citizens of Bromley and if Hamant chooses not to pay he will deal with Rumpke.

The Mayor informed Hamant that he can dispute the contract in the next contract term period. The Mayor has signed a binding contract.

Hamant informed Kienker that Rumpke offered him no alternative stating that the Mayor had signed the contract. Kendall told Hamant that he can recoup the \$11.00 increase in trash collection services if he pays his tax bill early and receives the 2% discount.

The Mayor informed Hamant that the City is pursuing the property located at 240 Shelby through PDS. It is not known if the resident at this location has a business license. The Attorney will pursue this matter.

Kienker informed Hamant that PDS was at the blighted property yesterday on Kenton at Main Street.

Smith will ask for an "open records" request from the State regarding the Devon property at Pleasant and Pike. The property, per Smith, is owned by Mark Anderson under the name of Auto House. Per the Mayor, Devon was going to lease this property to Mr. Anderson. Per Smith, PDS has stated that car repair fits in the zone so it is permissible to open the same type of business. Smith stated that the owner does have a license. She is not sure if vehicles are permitted to sit on the outside. Per Radford, Devon's operating license was linked between his other business and the one in Bromley. If your work on more than five vehicles per year you must have a license.

Per the Attorney, rental licenses are only on residential properties, not businesses.

Erin Peabody, representing the U.S. Census Bureau (USCB), is here to address the Mayor and Council. She is a Partnership Specialist. She serves nine counties in Northern Kentucky. The USCB is trying to motivate residents and prepare the community for the upcoming census which begins in mid-March. Statistics prove that one out of every four people will not respond to the census questionnaire. The State of Kentucky will receive its fair share of funding in the House of Representatives for Head Start programs/after-school programs/highway and road services/ emergency services/drug programs/veterans/ only if residents respond to the census. Otherwise, the money is left on the table. \$2,021 per person per year is lost if people do not respond. One million children were missed in the last census count. Ms. Peabody would like to form a local partnership with Bromley. This is the first census where residents have the opportunity to go online or respond via an 800 number. Per Ms. Peabody, it is against the law to NOT file your census paperwork. Ms. Peabody stated that the American Community Survey that people are receiving is not from the USCB and you can go online to check for legitimacy.

#### **PDS REPORT**

Smith informed Kienker that, regarding the parking lot at her business-property location at 18 Pike, our previous Zone Administrator may not have issued a license for the correct zone for the building. He issued for a Conditional Use as opposed to a Non-Conforming Use. The Conditional Use, per Smith, does not apply.

Smith read; "A Conditional Use is essential to public health, safety and welfare (where you would put a school, cemetery, police or fire station)". Joe's document specifically said it was Conditional. Smith feels that we need to get the zoning on this building updated to Non-Conforming. Smith does not know what steps need to be taken to have this done.

The Attorney does not feel that there needs to be any change. He believes that it is a Non-Conforming Use within the zone and nothing needs to be changed zonewise. Smith understood Mr. Vocke as saying that it needed to be changed because it was Conditional. Mr. Vocke thinks that what needs to be changed is the way the property is considered. He went back and looked at the IP Zone and there isn't anything in there about restaurants. It mentions cafeterias, food stands, and those kinds of things so nothing in there that would allow for a Conditional User Permit to have been issued. At one time when the fish farm was down there the IP Zone did list a restaurant as a condition. Mr. Vocke thinks we need to consider what is the current scope of the use because you can't expand a Non-Conforming Use in general. You cannot make it bigger. The issue is what parameters have been used going back to when the zoning ordinance was adopted. Rob Himes from PDS, per Kim, seemed to think that the gravel parking lot, since it has been graveled all along, was okay to remain. Smith said that it was not gravel all along. Two years ago when the business came in, Council, knowing that it should be a paved surface, gave the gentleman permission to put gravel in with the condition that it would be paved in August this year. Kienker stated that she is the one who put the gravel in. It has always been gravel. She just topped it off. The Attorney said that if it is a Non-Conforming Use then the whole business about Conditional Use probably doesn't make sense because it wasn't necessary and was not warranted under the zoning ordinance. Smith said that Mr. Himes stated that the City could ask that the parking area be paved. According to Mr. Vocke Mr. Himes also stated that, because it was the Non-Conforming situation, the owner would not be required to pave that parking area.

Smith stated that Kienker was okay then as it stood but, that if we continue to make exceptions, things are never going to get done.

Radford felt that a worse issue was the property located at 1 Pike. There are numerous papers pasted on the door (Code Enforcement paperwork).

Smith spoke of two properties on Pike that need to be addressed as well as ones on Short Boone, Kenton and Boone Street.

The Attorney continues to work on the Duncan and Barnes properties.

The Mayor spoke of a Shelby Street property that is a dump. He feels that after three years of complaints we should consider the possibility of eviction.

**POLICE REPORT**

This report is available in the office for review.

Two blighted and abandoned vehicles were towed.

Smith asks that Park Hills Council be asked to collect our citations. Chief Stanley will ask on Monday.

**FIRE DEPARTMENT REPORT**

This report is available in the office for review.

Ludlow Fire Department (LFD) will host a CPR class from 9:00 a.m.-noon here on this coming Saturday.

Kendall stated that the Clerk has sent an email to the Mayor and Council stating the Bromley Volunteer Fire Department is no longer responding to fire calls (their choice) as they are selling trucks and turn-out gear (truck, hoses, boat, etc.).

Per Attorney Vocke, July 19<sup>th</sup>. was the posted date of the eviction. Wayne Keller refused to accept the eviction notice from Prather, per the police chief. This refusal was video-taped. The notice was posted on the door of the fire department and a copy was sent to their attorney.

The City will inquire about purchasing the tables and chairs from the fire department that remain in the basement hall.

Kendall stated that any cash received by the fire department will be used to settle liabilities. Cash is to be donated.

The Mayor felt that some of the funds were collected from tax dollars and could be used by the City for the ball park, which was donated for use to the fire department by the City for festival use.

Bob France, Public Works, reported that the park was used for the Bulldog Reunion and was left in excellent condition.

**NO HALL COMMITTEE REPORT**

**ROAD AND LIGHT COMMITTEE REPORT**

Radford reported that France made signs and blocked a section of street on Steve Tanner between Pike and Shelby for the Bulldog Reunion. A book was signed for Mr. Swain, the former principal.

Radford has ordered a mobile speed limit sign with a trailer at the request of the Mayor. The sign should be arriving soon.

All bus stop areas have been repainted. The crosswalks will be painted when weather allows.

All storm sewers are being kept clean. Kendall commented that they are cleaned the best he has seen in a long time.

Kendall will keep an eye on the area at Rohman and Moore. Per France, during the last big rain, the water came down Rohman like a river. France cleaned up 30 five-gallon buckets of gravel from Rohman and another 10 buckets that ran down Moore to where it leveled off. Kendall will contact Ryan Grimes,

owner of the property at 500 Rohman. He feels that there is a fixable solution to the problem causing the runoff issues. Kendall will also check the stream line for possible blockages.

**NO LICENSE COMMITTEE REPORT**

**ATTORNEY REPORT**

The Attorney read the Summary of Ordinance 7-1-19 for the second time. This ordinance allows for the use of golf carts on City streets under certain regulations. Smith moves to accept this reading. Kienker seconds. Roll call: all aye. The motion carried.

The Attorney read Ordinance 7-2-19 for the second time. This ordinance allows for pavement parking in designated areas in the 300 block of North Pike Street. Smith moves to accept this reading. Kendall seconds. Roll call: all aye. The motion carried.

The Attorney read a summary of Resolution 8-1-19 which accepts the model agreement and advertisement for bids for the wireless communication project proposed by Verizon. Kendall moves to accept this resolution. Radford seconds. Roll call: all aye. The motion carried.

The Attorney read Resolution 8-2-19 which adopts the Interlocal Agreement between the Cities of Ludlow and Bromley in regards to fire protection and EMS services.

The part regarding Ludlow Fire Department responding to the unincorporated area has been stricken from the resolution as that area is being covered by Crescent/Villa Fire Authority, not Ludlow.

Per Kendall, the contract between the two cities has already been signed. The Resolution is just a manner of ratifying the contract. Smith moves to accept this resolution. Kienker seconds. Roll call: all aye. The motion carried.

The Rumpke direct residential billing agreement was signed by Smith as the Mayor was not available. The Attorney felt that this was permissible.

Kendall moves and Radford seconds to accept this agreement. Roll call: all aye. The motion carried.

The Attorney has sent all paperwork to the State in regards to HB 413 (police protection).

**MAYOR REPORT**

The Mayor has received a lot of complaints in regards to recent power outages. The problem corrected itself for a time but has been reoccurring. Smith made a personal complaint. She feels that someone else may want to file a complaint for the City.

Rental license dates will change to January 31<sup>st</sup>. since we are basing collection on delinquent tax bills (county bills are not delinquent until the end of December and then due within a 30-day period). An ordinance will be prepared.

**WAYS AND MEANS COMMITTEE REPORT**

Smith is still working with the Treasurer on transferring all data from Sage to Quickbooks.

Three of the smaller accounts have been completed. No report is available.

Reports will contain a monthly total and year-to-date total as well.

Another report for revenues will be submitted regarding profit and loss (budget vs what is actually taken in).

Smith reports that the Attorney has filed liens on several properties that have delinquent taxes due.

The State is requesting 2018 financial statements showing revenue streams/expenses/salaries, etc. before they will deposit our Municipal Aid Road Fund payments.

**PARK AND PLAYGROUND COMMITTEE REPORT**

Dianne Wartman reports for Tim Wartman that the new swing has been installed. The redoing of the current playground project is finished.

An area around the maintenance building was filled in.

Another bench and a trash can have been purchased at a discount.

Seed and straw were placed around the maintenance building.

Tim Wartman will obtain bids for a concrete pad and cover this week.

The Mayor stated that the park looks good.

France reports that there are signs posted in the park regarding rules and regulations.

France would like to mount three signs at the park but wants to make sure that City ordinance information is still correct before this is done.

**NO INSURANCE AND GRANTS REPORT**

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

**OLD BUSINESS**

Kendall presented his report on the City Welcome Sign Project. He contacted six companies and two responded (Hedgehog and ASI).

Hedgehog signs would be covered with a printed vinyl covering, not painted. Life expectancy, per Hedgehog, is 7-10 years. Kendall was told by another person that true life expectancy is more like 5 years before the covering deteriorates and begins to peel. They quoted an installation fee for all five signs at \$750.00.

The graphics on the ASI signs are painted with a layered look. The sign poles can be attached to or separated from the sign itself. This is the preferred sign and also most expensive.

Kendall recommends the more expensive signs from ASI at a cost of \$17,000.00 for all five signs.

Kienker moves that we approve Kendall's recommendation and purchase the signs from ASI. Smith seconds. Roll call: all aye. The motion carried.

Kendall continues to contact District 6 in regards to the Main Street Project.

Radford reports that the State has done some white outside-line striping on Bromley Road.

Smith thanked everyone for the gift of flowers.

**NO COMMUNICATIONS**

**BILLS**

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

Smith moves to adjourn. Radford seconds. The meeting adjourned at 7:35 p.m.

MAYOR Mike Decker

CLERK Janet M. Haddock