

Opening

The City Council of the City of Independence, Kentucky met on Monday, February 3, 2014 at 7:00 p.m. in the Council Chambers of the Independence Municipal Center, 5409 Madison Pike, Independence, Kentucky with Mayor Donna G. Yeager presiding. Mayor Yeager called the meeting to order and opened with the Pledge of Allegiance. The invocation was given by Council Member Bushong. Roll was called and the following Council Members registered present: Bill Aseere, Tom Brinker, Carol Franzen, Mike Little and Chris Reinersman. Also present was City Attorney Jed K. Deters, City Administrator Dan Groth and City Clerk Patricia Taney.

Approval of the December 2, 2013 Council Meeting Minutes

Mayor Yeager called for a motion to approve the minutes of the regular meeting held on Monday, December 2, 2013. Council Member Bushong so moved, with second by Council Member Little. No amendments to the minutes were noted, roll was called and answered with five ayes and one abstention by Council Member Franzen. Motion carried 5-0.

Proclamation Presented to Simon Kenton High School Football Team

Mayor Yeager along with Council Member Carol Franzen presented the Simon Kenton High School football team with a Proclamation to commend them for completing the 2013 regular season undefeated with a record of ten wins and no losses. Council Member Franzen read the Proclamation.

Proposed Ordinance – Amending Ordinance No. 2007-O-22 and Adopting the 2013 Kentucky Building Code as Promulgated in KAR – 1st Reading

Mayor Yeager presented for a first reading a proposed ordinance that would amend Ordinance No. 2007-O-22 and adopt the 2013 Kentucky Building Code as promulgated in 815 KAR 7:105 by the Board of Housing, Buildings and Construction. Mr. Deters gave the ordinance a first reading. He explained this is a housekeeping measure to reference the most current building codes, which is 2013.

Proposed Ordinance – Amending Ordinance No. 2007-O-23 and Adopting the 2013 Kentucky Residential Code – 1st Reading

Mayor Yeager presented for a first reading a proposed ordinance that would amend Ordinance No. 2007-O-23 and adopt the 2013 Kentucky Residential Code that would apply to all one and two family dwellings and townhouses located within the City limits and which are fabricated, erected, constructed, enlarged, altered and or repaired together with such appurtenances and accessory structures. This code also provides for the issuance of permits and provides for penalties for the violation of any provision of the code. Mr. Deters gave the ordinance a first reading and again explained this is a housekeeping measure to reference the most current building codes, which is 2013.

Resolution No. 2014-R-01 – Authorizing a Grant Application for Assistance under the Land and Water Conservation Fund Act of 1965

Mayor Yeager presented to Council Resolution No. 2014-R-01 which would authorize the City to apply for a grant for financial assistance under the Land and Water Conservation Fund Act of 1965. Mr. Deters read Resolution No. 2014-R-01.

Mayor Yeager acknowledged three Park Board members in attendance who have been researching possible grants to help fund desirable park improvements. Mr. Groth advised the City would like to use the grant funds to terrace the hillside between the Senior Center and the Amphitheater. He stated the City applied for this same grant two years ago but was not awarded the grant. He stated this is the first of two grants the Park Board would like to apply for. He stated the second grant application would be with the CDBG (Community Development Block Grant) for a project that would include basketball courts, walking paths and restrooms in Memorial Park. He stated the CDBG grant would not require any matching funds from the City. Mr. Groth added that passing this Resolution is the first step in the grant application process along with a public hearing that will be scheduled in March to gather public input on the proposed project. He advised the hillside terracing project for the Amphitheater would cost the City around \$120,000 which will have to be budgeted but that part of the City's expense can be contributed as in-kind services. Council Member Reinersman commented that the Independence Business Association will write a letter of support for this project which can be submitted along with the grant application. Mayor Yeager advised other letters of support will be solicited as well. Council Member Brinker reported that as Chairman of the Park Committee the monthly meetings are going well and the members are discussing long and short term goals for the City's park system. Council Member Little thanked the Park Board members stating he feels these volunteers, as well as other members of City boards/committees, are crucial to the City and he appreciates the time and effort they give.

There being no further discussion, a motion was made by Council Member Brinker and seconded by Council Member Franzen to adopt Resolution No. 2014-R-01 authorizing the grant application under the Land and Water Conservation Fund Act of 1965 for financial assistance for the hillside terracing project in Memorial Park. Roll was called and answered unanimously. Motion carried 6-0.

Resolution No. 2014-R-02 – Accepting Ownership and Maintenance of Bypassed Segments of Old KY 536

Mayor Yeager presented to Council Resolution No. 2014-R-02 that addresses the reconstruction of KY 536 from the Boone County line to KY 17, specifically resolving that the City shall:

- allow KYTC to perform work on City Right of Way
- allow KYTC to purchase Right of Way in the City's name for referenced City Streets
- upon completion of construction accept title to ownership and maintenance responsibility for:
 - segments of bypassed KY 536
 - reconstructed City Streets
 - sidewalks and multi-use paths within City Limits
 - street signs or street lights constructed at the City's request
 - decorative features added to this project (signs, landscaping, light poles)
- pay for all City street signs
- pay for the future electric bills for all street lights not located within the roundabouts and traffic signals within the City Limits
- pay for all decorative features installed with this construction project that is above the standard installation cost
- pay for all maintenance of decorative street lights even those that would be included in the roundabouts

- post-construction, provide maintenance for all landscaped medians, islands, and mowable areas behind the curb and within the median

City streets that will be reconstructed with this project include:

- Hogrefe Road
- Falcon Ridge Drive
- Old Bristow Road
- Bristow Lakes Drive
- Calvary Road
- Williamswood Road
- Delaware Crossing
- Old Madison Pike

Mr. Groth explained the State has also agreed to take over maintenance of short Richardson Road in exchange for the City taking ownership and maintenance of the bypassed areas of KY 536 which include:

- Old KY 536 (Bristow Road) from Williamswood Drive to the intersection with the proposed KY 536 Connector Road, approximately 0.10 miles west of the junction with KY 2045 (Independence Rd). A total distance of approximately 0.66 miles.
- Old KY 536 (Independence Rd & Shaw Rd) from the junction with KY 2045 and Bristow Road to the intersection with the New KY 536 near station 321+00. A total distance of approximately 0.57 miles.

Mr. Groth also advised he asked the State the resurface and stripe these bypassed segments of roadway prior to the City taking over the future maintenance. He stated the City is taking more roadway sections but will have less future maintenance. He also reported the State has agreed to install street lights and pay for the electricity in the roundabouts that will be constructed in this project. He stated that any grass or landscaping installed in the roundabouts would be the maintenance responsibility of the City. Mr. Groth commented that the start of this road project is probably five years down the road and that the sitting Mayor and Council at that time will make the final decision on any landscaping/grass that will be installed. He advised that it is still uncertain if the State has decreased the number of roundabouts as requested by Council last year from the proposed nine that was originally presented in the State's design. He stated there are four phases of construction and the State is currently in the environmental phase of this project.

There being no further discussion, a motion was made by Council Member Bushong and seconded by Council Member Franzen to adopt Resolution No. 2014-R-02. Roll was called and answered unanimously. Motion carried 6-0.

City Administrator Report – Dan Groth

Mr. Groth stated he did not have anything to report.

Attorney's Report – Jed K. Deters

Mr. Deters advised he did not have anything to report.

Mayor's Report – Donna G. Yeager

Executive Orders - Mayor Yeager presented Executive Order No. 2014-EO-01 appointing Council Members Jim Bushong and Bill Aseere as the City's primary and alternate representatives to the Northern Kentucky Area Planning Council and Executive Order No. 2014-EO-02 re-appointing Council Member Chris Reinersman to represent the City on the OKI Board of Directors.

Audit ending June 30, 2013 - Mayor Yeager presented to Council the City's Audit Report for the fiscal year ending June 30, 2013. She advised Council to direct any questions or concerns about the audit to Mr. Groth or Finance Director Teresa Hudson.

Adjournment

There being no further business, a motion was made by Council Member Reinersman and seconded by Council Member Bushong to adjourn. Motion carried with all ayes and the meeting ended at 7:28 p.m.

Donna G. Yeager, Mayor

ATTEST:

Patricia H. Taney, City Clerk