

SPECIAL COUNCIL MEETING

Minutes of June 29, 2009

City of Independence, Ky.

Opening

The City Council of the City of Independence, Kentucky held a Special Meeting on Monday, June 29, 2009 at 7:00 p.m. in the Independence Municipal Center, 5409 Madison Pike, Independence, Kentucky with Mayor Christian J. Moriconi presiding. Mayor Moriconi called the meeting to order. Roll was called and the following Council Members registered present: Mary Pat Behler, Margaret Cook, Carol Franzen, Mike Little and Donna Yeager. Council Member Jim Bushong was absent. Also present was City Attorney, Jed K. Deters.

Purpose of the Special Meeting

Mayor Moriconi welcomed everyone and announced this special meeting of Council was being held in lieu of the regular meeting scheduled for July 6, 2009 which will be cancelled due to vacation schedules of some of the Members. He stated this special meeting agenda is to discuss and take action on the following business items:

- Approve the minutes of the June 1, 2009 Council Meeting
- Proposed Ordinance – Approving a Zoning Text Amendment Modifying the NSC Zone – 1st Reading
- Resolution No. 2009-R-10 – Supporting Opposition to HR413 Relating to Collective Bargaining
- Resolution No. 2009-R-11 – Approving Lease/Purchase Agreement for Police Cruisers
- Award Bid for Crowe/Richardson Road Bridge
- Executive Session (only if necessary)

Approval of the June 1, 2009 Regular Council Meeting Minutes

Mayor Moriconi called for a motion to approve the minutes of the regular meeting held on June 1, 2009. Council Member Behler so moved, with second by Council Member Little. Amendments for noted as submitted by Council Member Yeager; roll was called and answered with four ayes and one abstain by Council Member Franzen. Motion carried.

Proposed Ordinance – Approving Zoning Text Amendment Modifying the NSC Zone – 1st Reading

Mayor Moriconi presented for a first reading a proposed ordinance that would approve a recommendation from the Kenton County Planning Commission (Number 1969R) modifying the NSC zone; 1) approving a text amendment adding offices, medical, dental and clinics to the list of permitted uses, and 2) approving a text amendment adding community centers to the list of conditional uses within the NSC zone. There was a brief discussion. Council Member Behler expressed concern regarding the proposed community center in the vacated Kenton County Library building on Taylor Mill Road, which according to the proposed zoning text change, would be a conditional use. She would like a definition of a community center. Council Member Franzen commented that a community center should have a lot of restrictions imposed when granting a conditional use. There being no further discussion, Mr. Deters read the proposed ordinance.

Resolution No. 2009-R-10 – Supporting Opposition to HR413 Relating to Collective Bargaining

Mayor Moriconi presented and read to Council Resolution No. 2009-R-10 which would approve the opposition of House Resolution 413, known as the Public Safety Employer-Employee Cooperation Act, and likewise urge Kentucky's Representatives and Senators in Congress to

oppose it as well. Council Member Franzen moved to adopt Resolution No. 2009-R-10, seconded by Council Member Behler.

A brief discussion ensued regarding HR 413 and how this would give cities the choice whether or not to recognize a local city union. Mr. Deters advised that currently only cities of the first class are mandated to recognize city unions. Mayor Moriconi stated that by opposing HR 413 the City would be voicing our desire to allow us the choice to recognize unions or not recognize unions. Mr. Deters advised that by adopting Resolution No. 2009-R-10 the City would just be sending a formal message to the State legislators regarding HR 413. Mr. Groth commented that the Kentucky League of Cities is sponsoring this opposition to HR 413.

There being no further discussion, roll was called and answered with three ayes and two no votes cast by Council Members Little and Yeager. Motion carried 3-2.

Resolution No. 2009-R-11 – Approving Lease/Purchase Agreement for Two Police Cruisers

Mayor Moriconi presented to Council Resolution No. 2009-R-11 that would approve a master lease-purchase agreement with Leasing One Corporation, a subsidiary of Farmers Bank & Capital Trust Company, for the financing of the acquisition of two police cruisers. Mr. Deters read Resolution No. 2009-R-11. Mayor Moriconi commented that the two cruisers were budgeted in the adopted 2009/10 budget.

Council Member Yeager moved to adopt Resolution No. 2009-R-11, second by Council Member Franzen. Roll was called and answered unanimously. Motion carried 5-0.

Award Bid for Crowe/Richardson Road Bridge

Mayor Moriconi announced that on June 11, 2009 bids were opened for the demolition and replacement of the Crowe/Richardson Road Bridge. The bid package was divided into three phases that included – 1) new bridge design/build, 2) removal of existing bridge, and 3) installation of new bridge – which would allow a bidder to bid on just one or all three phases of the project. Bids were received for the various phases of the project from seven companies. Mr. Groth, City Administrator advised that the project schedule will have the current bridge disassembled and removed the week of July 20th and hopefully the entire project completed before the start of the new school year in August. He stated that along with staff members the bids were reviewed and in certain phases of the project the lowest bid was not recommended, but that overall the project total will come in approximately \$13,000 under budget. The following is a cost breakdown: new bridge \$106,886.89, demolition of existing bridge \$29,475, installation of new bridge \$39,500, core drillings \$5,061.10 and engineering fees \$5,719.61 for a total project cost of \$186,642.60. Mr. Groth reminded Council that the City has received \$175,000 from the Emergency Road Aid Funds from the Kentucky Department of Transportation for this project and that the City budgeted an additional \$25,000 in the 2009/10 fiscal year budget.

Mr. Groth advised that the residents located in the vicinity of the bridge will be given ample notice that the bridge will be removed and a new bridge installed so they will know to use the alternate roadway. A brief discussion ensued regarding issues that may be encountered if the bridge construction is not completed before schools reopen on August 18th. Mr. Groth assured Council that he would work something out with the school's transportation department, but hoped it wouldn't be necessary if the project stays on course.

Mr. Groth stated that he is recommending and would like Council approval to award the purchase of the new bridge to E & H Bridge Company in the amount of \$106,886.89, the

removal of the existing bridge to JP Excavating Company in the amount of \$29,475 and the installation of the new bridge to Ron's Concrete in the amount of \$39,500. Council Member Little so moved, with second by Council Member Yeager. Mayor Moriconi commented that he is amazed at the low cost of the bids submitted. Roll was called and answered unanimously. Motion carried 5-0.

Adjournment

There being no further business, Council Member Franzen moved to adjourn the meeting, seconded by Council Member Little. Motion carried with all ayes and the meeting ended at 7:20 p.m.

Christian J. Moriconi, Mayor

Attest:

Patricia H. Taney, City Clerk