

**Opening**

The City Council of the City of Independence, Kentucky met on Monday, July 12, 2010 at 7:00 p.m. in the Council Chambers of the Independence Municipal Center, 5409 Madison Pike, Independence, Kentucky with Mayor Christian J. Moriconi presiding. Mayor Moriconi called the meeting to order and opened with the Pledge of Allegiance. An invocation was given by Council Member Jim Bushong. Roll was called and the following Council Members registered present: Mary Pat Behler, Jim Bushong, Margaret Cook, Carol Franzen, Mike Little and Donna Yeager. Also present was City Attorney Jed K. Deters.

**Approval of the June 7, 2010 Regular Council Meeting Minutes**

Mayor Moriconi called for a motion to approve the minutes of the regular meeting held on Monday, June 7, 2010. Council Member Yeager so moved, with second by Council Member Franzen. There being no amendments noted, roll was called and answered unanimously. Motion carried 6-0.

**Declare Surplus Property**

Mayor Moriconi presented a list of four police cruisers that have been taken out of service by the Police Chief and is requesting they be declared as surplus property so they can be sold at a public auction on August 28, 2010.

Council Member Franzen so moved, with second by Council Member Bushong. Roll was called and answered unanimously. Motion carried 6-0.

**Proposed Ordinance – Approving a Zoning Text Amendment Permitting Exterior Sales of Seasonal Garden Supplies and Plantings in the NSC Zone – 1<sup>st</sup> Reading**

Mayor Moriconi presented for a first reading a proposed ordinance that would accept the Planning Commission's recommendation to approve a zoning text amendment changing the developmental controls within the NSC (Neighborhood Shopping Center) zone to allow for the exterior sales of seasonal garden supplies and plantings. There was a brief discussion wherein Mr. Deters explained this amendment would allow proprietors to have exterior sales without the burden of losing interior commercial space. Mr. Deters read the proposed ordinance.

**Resolution No. 2010-R-10 – Support of HR 3745 – the Community Access Preservation Act (CAP)**

Mayor Moriconi presented to Council Resolution No. 2010-R-10 that would support the immediate passage of HR 3745 and urge Congressional delegation to take all possible actions in support of its passage. HR 3745 would address challenges faced by public, educational and government (PEG) TV channels and community access television stations. Mr. Deters read Resolution No. 2010-R-10.

Council Member Yeager moved to adopt Resolution No. 2010-R-10, seconded by Council Member Little. There being no discussion, roll was called and answered unanimously. Motion carried 6-0.

**Resolution No. 2010-R-11 – Approving the MRA Cooperative Agreement with the Transportation Cabinet**

Mayor Moriconi presented to Council Resolution No. 2010-R-11 which would approve the execution of a Municipal Aid Coop Program contract with the State Transportation Cabinet for the 2010-2011 fiscal year. Mr. Deters read Resolution No. 2010-R-11.

Council Member Bushong moved to adopt Resolution No. 2010-R-11, seconded by Council Member Franzen. There being no discussion roll was called and answered unanimously. Motion carried 4-0.

**City Administrator Report – Dan Groth**

Mr. Groth reported that the Kenton County Planning Commission will hold a public hearing on August 6, 2010 for a proposed cell tower by Cincinnati Bell to be located behind the Cherokee Shopping Center near the LaRosa's

**Attorney's Report – Jed K. Deters**

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

**Mayor's Report – Christian J. Moriconi**

Mayor Moriconi reported the residents of Shadybrook Subdivision have submitted a petition (attached to these minutes) to the City requesting the City purchase and install playground equipment in the Shadybrook Park. Mayor Moriconi commented that this park is mainly used for soccer fields. A brief discussion ensued regarding the recent rash of vandalism to the restroom facility in this park and concern about installing playground equipment that would also be vandalized. Mr. Groth stated that funds are currently not available to fulfill this request by the residents. He stated he would let them know that their request would be considered as funds become available.

Mayor Moriconi acknowledged the many sponsors and volunteers that made for a successful July 4<sup>th</sup> Celebration. He commented that many people work behind the scenes as well and thanked everyone for their efforts. He stated the event was virtually problem free, with no police arrests, which speaks highly of this family-friendly event. He stated the police estimate that 15,000-18,000 people came out to watch the fireworks display on Saturday night. Council Member Franzen thanked Captain Tony Lucas for spearheading this event each year.

**Executive Session**

At 7:16 p.m. Council Member Little requested an executive session in accordance with K.R.S. 61.810 (b) for deliberations on possible future acquisition or sale of real property, seconded by Council Member Franzen. Motion carried with all ayes.

At 7:38 p.m. Council Member Franzen moved to resume the regular meeting, seconded by Council Member Yeager. The motion carried with all ayes.

No action resulted from the Executive Session

**Adjournment**

There being no further business, Council Member Behler moved to adjourn the meeting, seconded by Council Member Little. Motion carried with all ayes and the meeting ended at 7:40 p.m.

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Christian J. Moriconi, Mayor

ATTEST:

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Patricia H. Taney, City Clerk