

CITY OF DRY RIDGE
CITY COUNCIL MEETING
APRIL 6, 2009
7:00 p.m.

- I. CALL TO ORDER – MAYOR CRUPPER
- II. RECOGNITION OF GUESTS – MAYOR CRUPPER
- III. APPROVAL OF AGENDA – COUNCIL
- IV. PRESENTATION OF MINUTES – CITY CLERK/TREASURER
- V. REPORTS
 - KLC – MARTY NEMES
 - FIRE
 - MAINTENANCE
 - MAYOR
 - POLICE
- VI. OLD BUSINESS
 - A. AMBASSADOR DRIVE – JEFF SHIPP
 - B. SECOND READING FY 2009 AMENDED BUDGET ORDINANCE
741-2009 – MICHAEL MULVEY
 - C. NUISANCE ORDINANCE - COUNCIL
 - D. SIGN – JOHN DIGIRALOMO
- VII. NEW BUSINESS
 - A. RESOLUTION STATE FEMA – MICHAEL MULVEY
- VIII. ADJOURNMENT

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APRIL 6, 2009

Council for the City of Dry Ridge met in regular session on April 6, 2009, at 7:00 p.m. at the Dry Ridge City Building, 31 Broadway, Dry Ridge, Kentucky, 41035, with the following present:

Fred Money, Jason O’Nan, Kenny Edmondson, Karen Glore, Encil Webster, Jamie Webster, Cindy Harris, Barbara DiGirolamo, John DiGirolamo, Maintenance Superintendent Bobby Robbins, Police Chief Rick Kells, Fire Chief Robert Bruin, Wastewater Superintendent Ken Little, Gary Hopperton, Charles Phillips, Brian Marshall-Grant County News, Attorney Jeff Shipp, Logan Murphy, City Attorney Michael Mulvey, , and Mayor Clay Crupper.

Mayor Crupper called the meeting to order at 7:00 p.m.

Mayor Crupper welcomed our guests.

City Clerk/Treasurer Cindy Harris took attendance with all six Council present.

Mayor Crupper presented the agenda for approval.

Council member Encil Webster moved, Council member Jason O’Nan seconded to approve the agenda. Motion carried. Kenny Edmondson-yes, Karen Glore-yes, Fred Money-yes, Jason O’Nan-yes, Encil Webster-yes, Jamie Webster-yes.

Mayor Clay Crupper presented the minutes of March 16, 2009 for Council approval.

Council member Karen Glore moved, Council member Fred Money seconded to approve the minutes of March 16, 2009. Motion carried. Kenny Edmondson-yes, Karen Glore-yes, Fred Money-yes, Jason O’Nan-yes, Encil Webster-yes, Jamie Webster-yes.

REPORTS

KENTUCKY LEAGUE OF CITIES

Mayor Crupper welcomed Marty Nemes of Kentucky League of Cities.

Marty Nemes spoke to Council about the services Kentucky League of cities provide to member cities from insurance with no aggregate limits, legal services, research, services for emergency assistance, united influence in governmental issues, and also programs instituted to improve quality of life for citizens and employees as well as reduce insurance premiums.

OLD BUSINESS

A. AMBASSADOR DRIVE

Attorney Jeff Shipp addressed Council and Mayor Crupper concerning Ambassador Drive.

Jeff Shipp stated he would have the President of the Cedar Crest Home Owners Association (Ambassador Drive) sign the “Hold Harmless Agreement” once the project was completed.

City Attorney Michael Mulvey stated he had already reviewed the "Hold Harmless Agreement" prepared by Attorney Jeff Shipp on behalf of Cedar Crest. City Attorney Michael Mulvey stated the agreement was fine and protected the City of Dry Ridge once it was signed.

Mayor Crupper stated that Council just wanted to be sure the City of Dry Ridge only signs checks and handles the money for the grant and project but in no way would be held liable once the grant was administered and the project was completed.

Council member Jason O'Nan asked if the signature pages of the application were for blank applications. Both Attorney Jeff Shipp and Engineer Logan Murphy answered affirmatively the homeowners had all signed blank permit applications at the request of Jeff Shipp.

Jeff Shipp stated there were 16 homeowners and 5 vacant lots.

Engineer Logan Murphy had provided an unsigned application partially filled out to Council at the end of last week. Some information was unknown at the current stage of the project.

Jeff Shipp stated that he felt confident the City of Williamstown would be happy to provide the weekly maintenance for the package plant at Ambassador Drive.

The application for the permit will be submitted once it is completely filled out and signed by all the homeowners along with the plans attached before the project can be advertised for bid.

B. SECOND READING FY 2009 BUDGET AMENDMENT (ORDINANCE 741-2009)

City Attorney Michael Mulvey read the second reading of Ordinance 741-2009 amending the FY 2009 Budget. The only amendment was to include an additional fund for the Cedar Crest Grant in the amount of \$250,000 to be received and expended.

Council discussed the situation of engineering and administration work already completed with more hours of engineering and administrative work required before the project would be ready to bid. Council discussed the possibility of the bid being higher than the funding allows for.

Jeff Shipp stated the grant would have to be expended to the amount to pay for the engineering and administration for the work completed to that point in the project. Jeff Shipp stated that hopefully if the funding of the grant was not sufficient then either the State would provide additional funding or the Homeowners would provide or secure the additional funding for the project to be completed rather than the project not be completed.

Jeff Shipp stated the State had approved the existing project which never should have been approved to start with which also never worked.

Council member Encil Webster asked if closing of the existing lagoons was to be included in the project.

Engineer Logan Murphy stated it would be included as an Alternate.

Jeff Shipp stated there were two homeowners that had loaders and was familiar with the existing project that perhaps could take care of closing the existing lagoons. Jeff Shipp stated the lagoons are secured by a fence.

Council member Encil Webster expressed concerns about the existing lagoons being closed properly in a predetermined manner.

Council member Fred Money moved, Council member Kenny Edmondson seconded to amend the FY 2009 budget to include a Grant Fund for \$250,000 adopting Ordinance 741-2009 upon the second reading. Motion carried. Kenny Edmondson-yes, Karen Glore-yes, Fred Money-yes, Jason O'Nan-no, Encil Webster-no, Jamie Webster-yes.

Mayor Crupper stated that other package treatment plants work just fine and is sure this project will be completed and be just fine.

Jeff Shipp stated City Attorney Michael Mulvey should review both contracts for Engineering and the Administration.

B. NUISANCE ORDINANCE

Mayor Crupper reviewed with Council a copy of the City of Williamstown's Nuisance Ordinance.

Mayor Crupper asked Council to remove the section on smoke. Mayor Crupper also stated Building Inspector should be replaced with Mayor or his designee.

Mayor Crupper recognized Charles Phillips.

Charles Phillips spoke against enacting this nuisance ordinance. Charles Phillips stated Council should not enact something they could not or would not enforce. Charles Phillips stated the City already had ordinances dealing with nuisances. Charles Phillips stated the City was in violation of its own weed ordinance.

Mayor Crupper stated the City had some properties that were eyesores that needed attention.

Council member Jason O'Nan stated the ordinance presented should remain as presented.

City Clerk/Treasurer Cindy Harris stated the Nuisance Ordinance needed to remain as presented.

City Attorney Michael Mulvey stated the current Zoning Ordinance was in place, the old nuisance ordinances needed to be replaced, this ordinance as presented would have a section repealing the old ordinances that Mr. Phillips was referring to, and this Nuisance Ordinance needed to be left as presented. The City of Williamstown has used this particular ordinance in court to correct blighted property even tearing some properties down. City Attorney Michael Mulvey will prepare this ordinance to present to Council for a first reading. City Attorney Michael Mulvey probably will not have time to complete this in time for the next meeting in two weeks but instead by the first meeting in May.

City Clerk/Treasurer Cindy Harris stated the Clerk's Office decided to be proactive rather than reactive and had already sent mowing letter several weeks ago. Some of the letters have already been signed for. Cindy Harris stated that a decision needed to be made on Telestar. Cindy Harris stated Mr. Blumerstein would not return calls last year. The certified letter had just been returned for unknown address. Cindy Harris stated Telestar needed to be cleaned up and mowed soon before the grass became tall and more unmanageable. Council and Maintenance Superintendent Bobby Robbins agreed the old Telestar property needed maintenance.

D. SIGN

Mayor Crupper recognized John DiGirolamo, former owner of the Country Grill Restaurant and owner of the property where the restaurant is located.

John DiGirolamo stated he came to Council after meeting with Mayor Crupper earlier.

John DiGirolamo presented Council with copies of letters from the Transportation Cabinet discussing the City's right of way, a copy of the deed from the Transportation Cabinet to the City of Dry Ridge, a copy of the sign permit signed by Tony Ashcraft under Mayor Ferguson's tenure, and a copy of the Grant County Artisan's Association document.

John DiGirolamo stated the sign he had installed several years ago on Meeks Road had been severely damaged and after five months he had received the insurance check for damages.

John DiGirolamo stated Whayne Supply had paid about \$7000 for their sign and someone would soon reopen the Country Grill Restaurant.

John DiGirolamo had a copy of the sign permit signed and dated 5-3-1993 by Tony Ashcraft.

John DiGirolamo stated Quality Sign had been unsuccessful obtaining a permit from Bobby Robbins.

Maintenance Superintendent Bobby Robbins stated he could not issue a permit for an illegal sign.

Bobby Robbins stated the sign was illegal when it was originally erected even though a permit was issued.

City Attorney Michael Mulvey agreed the sign was illegal and cited the statues concerning right of way to State and Federal Roads and also the type of signs that could be constructed in Dry Ridge.

Mayor Crupper stated he did not understand why the sign was issued a permit and why it was not legal now to reconstruct.

City Attorney Michael Mulvey stated that it was illegal at the time it was issued a permit and when it was constructed originally. Michael Mulvey stated perhaps someone did come from the Transportation Cabinet at the time but someone from the City of Dry Ridge decided to go ahead and do it illegal anyway.

Council member Kenny Edmondson stated he thought both Whayne Supply and Country Grill, once it reopened, had existing signs that were highly visible from the interstate.

Council member Encil Webster expressed concern but explained that he believed there was nothing Council could do.

John DiGirolamo thanked Council for their assistance.

Mayor Crupper asked about attendance at the Grant County Chamber annual dinner on April 18th.

Mayor Crupper, Mary Crupper, Karen Glore, and possibly Kenny and Carol Edmondson will attend.

NEW BUSINESS

A. RESOLUTION STATE FEMA

City Clerk/Treasurer stated the employee contacted by phone in the Mayor's office on April 2, 2009, had not returned the telephone call. Cindy Harris stated the work for FEMA was completed and would be turned in Tuesday morning.

No Resolution was presented or read.

Mayor Crupper stated the City of Dry Ridge should receive some reimbursement for work done by the City because of the ice storm with the paperwork completed by Bobby Robbins and Cindy Harris.

ADJOURNMENT

Council member Fred Money moved, Council member Kenny Edmondson to adjourn. Motion carried. Kenny Edmondson-yes, Karen Glore-yes, Fred Money-yes, Jason O'Nan-yes, Encil Webster-yes, Jamie Webster-yes.


CINDY L. HARRIS, CLERK/TREASURER


CLAY CRUPPER, MAYOR