

MINUTES
THE REGULAR MEETING OF THE ROSE HILL CITY COUNCIL
TUESDAY, FEBRUARY 19, 2013 – 7:00 P.M.
ROSE HILL CITY HALL/COUNCIL CHAMBERS

ACTION ITEMS:

ACTION ITEM #1: CALL TO ORDER AND ANNOUNCEMENTS

The regular meeting of the Rose Hill City Council was called to order at 7:02 p.m. by Mayor Mark Conway and held in Council Chambers. Councilmembers present: Rob Curtis, Jason Jones, David Vernia, Keith Carselowey and Tamara Potter. Administration and staff present: Kathy A. Raney, City Administrator/City Clerk; Kirk Hayden, Public Works Director; Bob Sage, Police Chief; Kelly Mendoza, Asst. City Clerk; Mark Maloney, City Attorney; Andrew Marino, Asst. City Attorney and Richard Brown, Building Official. Others present: Christine Wendt, David Crisp, Ed Daniel, Randy Daniel, Ron Brown, Jeff Hudspeth, Howard & Barbara Reed, Betsy Brown, Ed Templin, Jill Heinz, Bill Baker, Staci Clark, Andy Reed, Edward Musterer, James Hagman, Lori Martin and Roy Raney.

ACTION ITEM #2: INVOCATION AND FLAG SALUTE

Pastor David Crisp, Rose Hill Friends Church, gave the invocation followed by the flag salute.

ACTION ITEM #3: APPROVAL OF AGENDA

With copies of the 2/19/13 agenda previously distributed and before each Councilmember, the following:

Councilmember Potter requested that the agenda be amended to add an executive session for 15 minutes, to include Legal Counsel, regarding non-elected personnel. Mayor Conway stated that it would be Action Item #8.

MOTION (by D. Vernia): To approve the amended 2/19/13 agenda to include an executive session as Action Item #8. **SECOND BY J. Jones with MOTION PASSING 5-0.**

ACTION ITEM #4: APPROVAL OF MINUTES

With copies of the February 4, 2013 Regular Council Meeting minutes previously distributed and before each Councilmember, the following:

MOTION (by J. Jones): To approve the February 4, 2013 Regular Council Meeting minutes. **SECOND BY K. Carselowey** with **MOTION PASSING 5-0.**

ACTION ITEM #5: CLAIMS

With copies of Appropriation Ordinance No. 4 previously distributed and before each Councilmember, the following:

MOTION (by T. Potter): To approve the payment of claims for Appropriation Ordinance No. 4. **SECOND BY J. Jones** with **MOTION PASSING 5-0.**

ACTION ITEM #6: CITIZEN REQUESTS

Jill Heinz, 419 Sienna Dr., - Mrs. Heinz came before Council with her concerns regarding the tax incentive programs. She felt that the Spec Homes were given the wrong tax abatement, according to the language in the ordinances. Mrs. Heinz also asked who had the authority to make the determination into which program the homes fall under, and requested that an independent audit by someone that was not affiliated with the city be made.

Bill Baker, 211 E. Osage – Mr. Baker came before Council with his concerns regarding the home that appeared to fall under two tax incentive programs. Mr. Baker also had questions concerning the agreement for the Industrial Park that was executed in 2003. City Attorney, Mark Maloney addressed the Industrial Park concern by saying that staff would not be discussing the agreement in a public meeting and to give legal counsel the courtesy of reviewing the content first. Mayor Conway stated that he would be happy to go over the agreement with him after he had time to review it.

Andy Reed, -1621 Timberline – Mr. Reed came before Council regarding the NRP for the Old Town area. Mr. Reed suggested that Council spread the program area out a little further, to be fair to the other residents.

ACTION ITEM #7: CONSIDER EXTENSION OF SPECIAL USE: CASE SU-12-004/TURNING POINT CHURCH

Zoning Administrator, Cindy Stone, came before council to give a brief overview of the extension of a special use for the Turning Point Church. On June 4, 2012 Council approved a temporary use for 9 months, contingent upon 4 conditions set by the Planning Commission. Turning Point has submitted a letter of consideration for an extension of the special use. To date, all conditions have been met. Building Official, Richard Brown noted that would like to do a walk through, to make sure everything is still in compliance. Councilmember Potter asked if there was any reason why Council couldn't extend for 12 months instead of 9 months. Cindy reported that would be an option if Council desired.

MOTION (BY T. Potter): To extend the special use for Turning Point Church for a period of 12 months expiring 03/18/14. **SECOND** by. R. Curtis, with **MOTION PASSING 5-0.**

ACTION ITEM #8: EXECUTIVE SESSION: NON-ELECTED PERSONNEL

MOTION (BY D. Vernia): To enter into Executive Session, regarding Non-elected personnel for a period of 15 minutes until 7:31 p.m., to include Legal Counsel. **SECOND** by T. Potter, with **MOTION PASSING 5-0.**

MOTION (BY J. Jones): To extend into Executive Session, regarding non-elected personnel for a period of 15 minutes until 8:01 p.m., to include Legal Counsel. **SECOND** by D. Vernia, with **MOTION PASSING 5-0.**

MOTION (BY D. Vernia): To extend into Executive Session, regarding Non-elected personnel for a period of 10 minutes until 8:10 p.m., to include Legal Counsel. **SECOND** by J. Jones, with **MOTION PASSING 5-0.**

MOTION (BY D. Vernia): To extend into Executive Session, regarding Non-elected personnel for a period of 15 minutes until 8:30 p.m., to include Legal Counsel. **SECOND** by T. Potter, with **MOTION PASSING 5-0.**

Mayor Conway reconvened the Regular Meeting at 8:29 p.m. and reported no binding action was taken.

DISCUSSION ITEMS:

DISCUSSION ITEM #1: DISCUSSION OF N.R.P. REGARDING OLD TOWN AREAS

Mayor Conway opened discussion on the N.R.P. Program.

Councilmembers Vernia and Jones stated that they live within the N.R.P. boundaries with Councilmember Jones stating that he owns a business in the area as well.

Mayor Conway asked them to abstain from voting on any incentives in this area.

Councilmember Carselowey stated that he would like for the incentives not to be transferable. Councilmembers Potter and Vernia agreed, with Vernia noting that he does not want to see properties flipped for profit, and felt that we need to start brand new, tailor to how we want it. Councilmembers Vernia, Jones and Curtis asked if there could be a requirement that limits the age of the homes at the North end of town, as well as setting a cap. Councilmembers Potter and Vernia felt that there needed to be different caps for commercial and residential.

Mayor Conway advised that no decisions be made at this time, so that staff could review and bring back recommendations. Administrator Raney recommended that the NRP not include too large of an area of the city.

DISCUSSION ITEM #2: NOTICES AND COMMUNICATIONS

- a) Butler Co. Commission: Agendas/Minutes: Mayor Conway noted that copies were in Council packets.
- b) Severe Weather Awareness Week - March 3rd-9th: Mayor Conway noted that a letter from Butler County Emergency Management was in Council packets.

DISCUSSION ITEM #3: CITY ADMINISTRATOR'S REPORT

Kathy Raney, City Administrator, reported on the following items:

Home Show: Thank you to the Home Show Committee for their hard work planning, setting up and tearing down the Home Show Booth.

At this time Mayor Conway drew the name for the fishing themed basket. The winner drawn for the 2013 Home Show was Virginia Lauppe of Wichita.

DISCUSSION ITEM #4: DEPARTMENT HEADS' REPORT

Bob Sage, Police Chief: Nothing beyond his report.

Kirk Hayden, Public Works Director, reported that his department is anticipating a major storm event and has already begun pre-treating the streets.

DISCUSSION ITEM #5: CITY ATTORNEY'S REPORT

Mark Maloney, City Attorney: Came before Council to report on the allegations that were made by Councilmember Potter regarding an incident of racial profiling. Chief Sage had conducted an internal investigation and Maloney's law firm had conducted an external investigation and have both concluded that the evidence was false. Maloney stated that he would like to take this time to commend the Police Chief on handling the investigation in a professional manner and that he is completely exonerated from any wrong doing.

DISCUSSION ITEM #6: MAYOR'S REPORT

Mayor Conway:

- Thanked everyone involved in the Home Show set-up and tear down.
- Mayor reported that there would be a news conference Tuesday, February, 26, 2013 at Hope Community Church, regarding the \$406,000 grant that S.C.A.R.F. had received towards the building of the Children's Home. Chief Sage noted that this has been a facility that Butler County has needed for a long time. This group has done a tremendous job for an excellent cause. Mayor stated that it was a cause we wish we didn't have.
- Mayor also reported that he had met with the Richland Township Trustee regarding the chip and seal of Silknitter Road to the Cemetery, which is approximately 1/8 of a mile. Richland Township is asking the city and the county for their participation. Consensus of the Council was to inquire what costs were involved before making any decision.

DISCUSSION ITEM #7: COUNCILMEMBERS' REPORT

T. Potter: Tamara responded to Maloney's letter about her housekeeper's report regarding a supposed traffic stop in Rose Hill. Tamara said her housekeeper has recently admitted that she had stretched the truth. Tamara said she wanted to apologize to Sage for any inconvenience. Thank you everyone for your work on the Home Show.

K. Carselowey: Nothing to report

D. Vernia: Nothing to report

J. Jones: Thank you to the volunteers and members of the community for their work with the Home Show. It was really slow this year and the committee will be evaluating to see if it is still a benefit to the community.

R. Curtis: Nothing to report

DISCUSSION ITEM #7: ADJOURNMENT

There being no further business to come before Council, the following:

MOTION (by R. Curtis): To adjourn the meeting at 8:52 p.m. SECOND BY T. Potter, with MOTION PASSING 5-0.

Respectfully submitted:

Kelly L. Mendoza, Recorder
Assistant City Clerk