

**FORT MITCHELL CITY COUNCIL
SPECIAL MEETING
April 14, 2014**

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Wiest called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

COUNCIL MEMBERS PRESENT Vicki Boerger, Mary Burns, Ray Heist, Frank Hicks, Jim Hummeldorf, Kim Nachazel, Dan Rice and Dennis Zahler.

COUNCIL MEMBERS ABSENT None

OTHERS PRESENT City Attorney Rob Ziegler, City Administrator Chris Moriconi, Police Chief Jeff Eldridge, Fire Chief Scott McVey and City Clerk Linda Carter.

APPROVAL OF MINUTES

Mr. Hummeldorf made a motion to approve the minutes of March 3, 2014. Mr. Hicks offered a second to the motion. After asking for discussion or questions and hearing none, Mayor Wiest called for a voice vote. The motion carried by all ayes. Motion passed.

DEPARTMENT HEAD REPORTS

Chief Eldridge reported they are moving forward with the plan to place a School Resource Officer in Beechwood School and discussions continue with the Beechwood School Board. The Officer could be in place prior to the new school year starting. The Department is also in the process of hiring an additional officer to fill a position that will be open at the end of the month due to a retirement. The second annual car show will be on May 31. All money raised will go to Northern Kentucky Hates Heroin.

Chief McVey reported they are down to the last two weeks of the Citizens Academy. He invited everyone to the graduation.

Mr. Moriconi announced Mr. Noll, Director of Public Works, was unable to attend tonight's meeting. He gave the report for Mr. Noll. The bids for the building design/build are due April 25. Mr. Moriconi announced the City Building would remain open during construction.

Linda Carter, City Clerk, gave an update on tax collection for 2013. The City billed approximately 6 million dollars for property, road, park and school taxes for 2013. Our delinquency rate for 2013 only is less than 1%. She stated they are currently working with Rob Ziegler to collect prior year delinquents of approximately \$157,000.

CONSENT AGENDA

Mr. Hummeldorf made a motion to approve the Consent Agenda consisting of the following: Municipal Orders 2014-05 Re-Appointment of Dr. Howard Anneken to the Board of Adjustments, Municipal Order 2014-06 Appointment of Eric Dulaney and Doug Boschert to the Code Enforcement Board. Mr. Hicks offered a second to the motion. After asking for discussion or questions and hearing none, the Mayor called for a voice vote. The motion carried by all ayes. Motion passed.

OLD BUSINESS - None

NEW BUSINESS

Mr. Ziegler performed a first reading of Ordinance 2014-04 text amendment to MBLU Zone. There was no discussion or questions.

Mr. Ziegler performed a reading of Resolution 2014-05 regarding park grant for the corner of Silver and Dixie Highway. Mr. Zahler made a motion to adopt Resolution 2014-05. Mrs. Nachazel offered a second to the motion. After asking for discussion or questions and hearing none, the Mayor called for a roll call vote.

Mrs. Boerger:	Yes	Ms. Burns:	Yes
Mr. Heist:	Yes	Mr. Hicks:	Yes
Mr. Hummeldorf:	Yes	Mrs. Nachazel:	Yes
Mr. Rice:	Yes	Mr. Zahler:	Yes
Ayes: 8	Nays: 0	Absent: 0	Motion Passed.

Resolution 2014-06 regarding selection of banking services was tabled. Mr. Rice said the Committee was unable to meet and make a recommendation due to lack of a quorum.

Mr. Ziegler performed a reading of Resolution 2014-07 regarding the trash contract renewal. The Mayor noted some service issues recently, but also noted that the he negotiated the same rate as last year if the renewal option was pursued. Mr. Hicks made a motion renew Best Way's contract and to adopt Resolution 2014-07. Mr. Hummeldorf offered a second to the motion. After asking for discussion or questions and hearing none, the Mayor called for a roll call vote.

Mrs. Boerger:	Yes	Ms. Burns:	Yes
Mr. Heist:	Yes	Mr. Hicks:	Yes
Mr. Hummeldorf:	Yes	Mrs. Nachazel:	Yes
Mr. Rice:	Yes	Mr. Zahler:	Yes
Ayes: 8	Nays: 0	Absent: 0	Motion Passed.

Mayor Wiest said the City received two separate resolutions revisiting 2013-22 from Council Members. We have spent a lot of time on this issue and it needs closure. He said he would not limit anyone's ability to speak, but what he would like to recommend is each side get 10 minutes to speak or debate the issue, including comments from the floor.

Mrs. Boerger made a motion that we allow speakers from the floor time to speak the usual 3 minutes that does not count against the 10 minutes for each side. Mr. Zahler offered a second to the motion. After asking for discussion or questions and hearing none, the Mayor called for a roll call vote.

Mrs. Boerger:	Yes	Ms. Burns:	Yes
Mr. Heist:	Yes	Mr. Hicks:	Yes
Mr. Hummeldorf:	Yes	Mrs. Nachazel:	Yes
Mr. Rice:	Yes	Mr. Zahler:	Yes
Ayes: 8	Nays: 0	Absent: 0	Motion Passed.

Sue Schweinefuss, 2690 Mary Jane, Lakeside Park, announced she was Vicki Boerger's mother and she was here to speak in support of her.

Kelly Boerger, 34 Silver Avenue, said she was always proud of Fort Mitchell and the Council until recently and spoke in support of Mrs. Boerger.

Mayor Wiest noted Council received the expert reports from C-Forward and Mr. Hatter, which are attached, and asked the Council what they wanted to do with the two resolutions. Mr. Zahler said he had some concerns about 2014-08 and would rather see 2014-09 voted on.

Mr. Zahler made a motion approve Resolution 2014-09 rescinding Resolution 2013-22. Mr. Rice offered a second to the motion. The Mayor asked for any questions or discussion. Council discussed the C-Forward report, which indicated that Mrs. Boerger received an email on August 28, 2013, from marylang71@yahoo.com, which originated from Children's Hospital network. Questions were raised about how the original email received changed from marylang71@yahoo.com to ml@yahoo.com in the email that was forwarded to the city, and Council discussed Mr. Hatter's report in that regard, which included three possibilities for this change including a change in yahoo formatting, or accidental or deliberate modification by Mrs. Boerger. Mr. Zahler noted that it was appropriate to give Mrs. Boerger the benefit of the doubt in this regard.

Ms. Burns asked for modifications to Resolution 2014-09. Mrs. Boerger asked that Resolution 2014-09 be read aloud. Mr. Ziegler asked if Mr. Zahler and Mr. Rice agreed to amend their motion to include the modifications requested by Ms. Burns. Both men agreed to the amendment.

AMENDED MOTION - Mr. Zahler made a motion approve Resolution 2014-09, as amended. Mr. Rice offered a second to the motion. The Mayor asked for any questions or discussion. Discussion followed.

Mr. Ziegler performed a reading of Resolution 2014-09 rescinding Resolution 2013-22.

Mrs. Boerger:	Yes	Ms. Burns:	Yes
Mr. Heist:	Yes	Mr. Hicks:	Yes
Mr. Hummeldorf:	Yes	Mrs. Nachazel:	Yes
Mr. Rice:	Yes	Mr. Zahler:	Yes
Ayes: 8	Nays: 0	Absent: 0	Motion Passed.

Mr. Hummeldorf and Mrs. Nachazel apologized for their votes in passing Resolution 2013-22 given the evidence that has now come to light and Mrs. Boerger accepted that apology.

CITY ADMINISTRATOR'S REPORT

Mr. Moriconi reported that the Drawbridge demolition started last week. It will take approximately four months to complete all the work.

Mr. Moriconi exhibited a rendering of the new Fort Mitchell sign that the Mercedes Dealership plans to construct on Dixie Highway. The sign is 37 ½' long and will have our name and logo on it. They also plan to install certain white split rail fencing.

MAYOR'S REPORT

Mayor Wiest announced the Budget Planning meeting is scheduled for May 19 at 6:30 p.m. He asked the Council members to send him their requests for the budget by Thursday.

Mr. Zahler made the motion to adjourn the Special City Council Meeting at 7:50 p.m. Mr. Heist offered a second to the motion. After asking for discussion or questions and hearing none, the Mayor called for a voice vote. The motion carried by unanimous voice vote.

Signed May 5, 2014



Christopher Wiest, Mayor

Minutes Prepared and
Signature Witnessed By:



Linda Carter, City Clerk