

**FORT MITCHELL CITY COUNCIL  
REGULAR MEETING  
February 2, 2015**

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL**

Mayor Hehman called the meeting to order at 7:00 pm.

**COUNCIL MEMBERS PRESENT**

Vicki Boerger, Joseph Hayes, Michael Stoeckle, Kim Nachazel, Beth Rose, Dan Rice and Dennis Zahler.

**OTHERS PRESENT**

City Attorney Rob Ziegler, Police Chief Jeff Eldridge, Fire Chief Scott McVey, Public Works Director and City Clerk Linda Bartels.

**APPROVAL OF THE AGENDA**

M/S, Boerger/Stoeckle, approve the agenda. No one offered discussion or question. Voice vote carried all ayes. Motion passed

**APPROVAL OF THE MINUTES**

M/S, Zahler/Stoeckle, to approve the minutes of the January 7, 2015 regular Meeting. No one offered discussion or question. Voice vote carried all ayes. Motion passed

**CITIZENS ADDRESS FOR ITEMS NOT ON THE AGENDA - None**

**AUDITOR REPORT**

Mrs. Guenther introduced Mr. John Chamberlin, Auditor for Van Gorder, Walker. Mr. Chamberlin advised Council that Amy Guenther does an outstanding job doing the Financials for the City. It is the opinion of Van Gorder Walker that the financial statements for the City of Fort Mitchell are in conformity with the accounting principles generally accepted in the United States of America. The opinion is an un-modified opinion which is the highest opinion they give. The Internal Controls and Compliance report have no significant deficiencies or material weakness and there were no instances found of violations of laws or non-compliance with regulations, agreements or covenants. Mr. Chamberlin reviewed slides of the Audit for Council. Mr. Chamberlin asked if there were any questions from Council. Mr. Rice asked if the Auditor has an opinion regarding the Ordinance on the Agenda for later in the meeting repealing the Finance Committee. Mr. Chamberlin stated that in his opinion a Finance Committee is an outstanding idea for a city this size and would not recommend eliminating it.

**GATEWAY PROJECT**

Jim Parsons, Attorney, reported that the Local Participation Agreement for the Buttermilk Pike/Royal Drive Development Area has been signed by all participants. They include Kenton County, Planning and Development Service (PDS), and Fort Mitchell Economic Development Authority. He reminded

council that the Fort Mitchell Economic Development Authority acts at the Council direction. They cannot act on their own. The project is about ready to go. This is a very significant project that when fully developed over the next 20 years will be in the \$135 million range.

Jerry Royce, Vice President of Development for Brandicorp, reported they are working with Christ Hospital evaluating the service needed here. They are also marketing the site to fine out what the site wants to be. They have been contacted by high end grocers and retailers.

Mr. Parsons reminded council that it is not unusual for the final plans not to be completed yet. They have up to four years to finalize project.

Mr. Ziegler performed a reading of Resolution 2015-01 authorizing the Economic Development Board to execute and submit the application for incremental tax revenue for the Gateway Project.

M/S, Zahler/Nachazel, adopt Resolution 2015-01 authorizing the Economic Development Board to execute and submit the application for incremental tax revenue for the Gateway Project. No one offered discussion or question. Voice vote carried all ayes. Motion passed

### **CITY ATTORNEY'S REPORT**

Mr. Ziegler performed a first reading of Ordinance 2015-01 setting forth the manner in which one of the members of Council shall be selected to preside at Council Meetings in the absence of the Mayor. Mrs. Rose sponsored this Ordinance and Council discussed it. Mrs. Nachazel made a motion to strike "vote getter" to "tenure". Mr. Ziegler stated that change would require a new ordinance. After further discussion, the motion failed for lack of a second.

Mr. Ziegler performed a first reading of Ordinance 2015-02 Amending Section 32.16 of Code of Ordinances relating to Regular Meetings of Council. Mr. Zahler sponsored the Ordinance and it was discussed by Council.

Mr. Ziegler performed a first reading of Ordinance 2015-03 Repealing Section 32.19 of the Code of Ordinances relating to Committees. Mayor Hehman sponsored this Ordinance and it was discussed by Council.

Mr. Ziegler performed a reading of Municipal Order 2015-08 Rescinding Municipal Order 2013-01 relating to the rules and procedures for meetings of the City Council. Mrs. Boerger made a motion to adopt Municipal Order 2015-08. Mr. Zahler offered a second to the motion. Mayor Hehman called for any questions or discussion and upon hearing none, called for a roll call vote.

Mrs. Boerger: Yes	Mr. Stoeckle: Yes
Mrs. Nachazel: No	Mr. Zahler: Yes
Mr. Hayes: Yes	Mr. Rice: Yes
Mrs. Rose: Yes	

Ayes: 6      Nays: 1      Absent: 0      Motion carried.

## MAYOR'S REPORT

Mayor Hehman asked Mrs. Bartels to give an update on the City website. Mrs. Bartels advised that the City website was recently hacked, nothing was obtained, and is just messed up the site. The website had to be shut down. The site is being moved and changes are being made. The site should be back up in the next few weeks with a new look. The site will be managed in-house and will include on-line recreation registration.

Mayor Hehman asked Mrs. Bartels to give information regarding the Insurance Certificate. Mrs. Bartels advised that there was a copy of the Insurance Certificate in the Council Packets. This certificate is for public officials and each Council member is listed.

Mayor Hehman asked Mrs. Bartels for an update on the Focus. Mrs. Bartels advised that the Focus is in line at the distributors, but is running behind due to a death in the family of the distributor. The Focus will be back on the website as soon as it is up and running. Mrs. Bartels asked that people like us on Facebook.

Mayor Hehman reported that he has started the process of finding a City Administrator. He has enlisted several Council Members to help with this and hopes to have it completed by the end of the first quarter of this year.

Mayor Hehman announced the Mayor's Committees as follows:

**Wall of Honor** - Vicki Boerger Chairman, Mike Stoeckle, Department Heads

**Public Works** - Joe Hayes Chairman, Dave Noll, Dave Schrand, Steve Middendorf

**Aesthetics & Beautification** - Beth Rose Liaison, Bill Reiss Chairman, Anne Reis, Dorothy Osterhage, David Moul, Sue West, Diane Becker, Helen Moul

**Finance Committee** – Dan Rice Chair, Kim Nachazel, René Oka, Amy Guenther, Kyle Taylor

Mayor Hehman asked Council to review the item in their packet regarding Chapter 6 of the Personnel Policy. Mayor Hehman feels that the underlined section is very poor for our City and the way it is currently written effects employees. Mr. Ziegler advised Council that the Personnel Policy is adopted by the Mayor and doesn't require Council approval, but it is subject to Council's disapproval. The underlined portion was added earlier by Executive Order and Mayor Hehman by Executive Order is removing it. The reason that it needed to come to the attention of Council is that at the last meeting of 2014 Chuck Dietz was appointed as Assistant Chief of the Fire Department and two of his brothers are employees of the Fire Department. Mayor Hehman is asking for action of Council to allow this circumstance on a case by case basis anytime the City considers hiring someone that falls into the Nepotism area.

Mr. Zahler made a motion to make the change requested change to the Personnel Policy. Mrs. Rose offered a second to the motion. Mayor Hehman called for any questions or discussion and upon hearing none, called for a roll call vote.

Mrs. Boerger: Yes  
Mrs. Nachazel: Yes

Mr. Stoeckle: Yes  
Mr. Zahler: Yes

Mr. Hayes: Yes                      Mr. Rice: Yes  
Mrs. Rose: Yes

Ayes: 7      Nays: 0      Absent: 0      Motion carried.

Mr. Ziegler advised Council that there is now a second case to come before Council regarding nepotism. This would be the hiring of John Hehman, brother of Mayor Hehman, as a seasonal employee of the Public Works Department for the purpose of snow removal. Mayor Hehman asked Mr. Noll to advise the need for this employee. Mr. Noll said that after having his employees out for 12 hours or more plowing snow, it would be great to have this person come in and do the clean-up work while the full time employees are getting some rest. John Hehman is a person who is experienced and knows the City streets. He has performed these duties in the past and it is strictly on an as needed basis.

Mr. Zahler made a motion to hire John Hehman. Mrs. Boerger made a second to the motion. Mayor Hehman called for any questions or discussion and upon hearing none, called for a roll call vote.

Mrs. Boerger: Yes                      Mr. Stoeckle: Yes  
Mrs. Nachazel: Yes                      Mr. Zahler: Yes  
Mr. Hayes: Yes                      Mr. Rice: Yes  
Mrs. Rose: Yes

Ayes: 7      Nays: 0      Absent: 0      Motion carried

Mayor Hehman asked Mr. Noll to advise Council regarding Surplus Property. Mr. Noll advised Council that there are a number of worn out tables, office chairs, plastic chairs. There are a lot of items that are of no use, outdated, or broken beyond repair. The contents of the Dusing house will need to be inventoried to determine what is trash, scrap or items that could be sold or donated. Mayor asked Chief McVey to explain the equipment that is Surplus Property. Chief McVey advised that the Fire Department currently has 19 sets of PPE (Personal Protective Equipment, coats and pants) that are 20 plus years old and the life of this equipment is only 10 years. The equipment is so out of date that it is not worthy of being placed on anyone's body because it is 10 years out of date per the standard and could open the City up to a lawsuit.

M/S, Nachaze/ Stoeckle, deem the property discussed as surplus. No one offered discussion or question. Voice vote carried all ayes. Motion passed

Mayor Hehman advised Council that he wants them to be aware of any and all Executive Orders that he does and he has currently done the following:

Executive Order 2015-01	Hiring of temporary help until City Administrator is hired.
Executive Order 2015-02	Personnel Policy Change
Executive Order 2015-03	John Hehman on-call snow removal
Executive Order 2015-04	Surplus Property

**DEPARTMENT / COMMITTEE REPORTS**

Mr. Noll had nothing else to report.

Chief Eldridge advised Council that the Grant for the SRO will be filled by Officer Pangallo. They are currently in the process of trying to find two new officers. They have currently interviewed 25 people. They are looking to hire laterals and most of the interviews have been new people looking to go through the academy. It is hoped to have Officer Pangallo in the school by the end of the month. The attorney for Beechwood is reviewing the contract. Officer Pangallo is switching to days next week so when he has time he can drop by the school.

Chief McVey advised Council that the Fire Department received a letter today from the State Fire Commission stating they have awarded them \$3,200.00 to purchase a new thermal imaging camera. Chief McVey and Chuck Dietz visited the Corinth Fire Department where Engine 1 was donated to. It is up and running and they have dubbed it their rescue pumper. They wanted Council to know that they thanked them for the donation.

**COMMENTS FROM COUNCIL**

Mayor Hehman asked if there were any comments from Council and there were none.

**ADJOURNMENT**

M/S, Zahler/Rose to adjourn the Regular City Council Meeting at 8:29 pm. . No one offered discussion or question. Voice vote carried all ayes. Motion passed

Signed \_\_\_\_\_, 2015

  
\_\_\_\_\_  
Jude Hehman, Mayor

Signature Witnessed By:

  
\_\_\_\_\_  
Linda Bartels, City Clerk