

**FORT MITCHELL CITY COUNCIL
REGULAR MEETING
May 7, 2018**

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Hehman called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

COUNCIL MEMBERS PRESENT

Vicki Boerger, Jim Hummeldorf, Greg Pohlgeers, Beth Rose, and Michael Stoeckle. Absent: Mary Burns and Kim Nachazel.

OTHERS PRESENT

City Administrator Sharmili Reddy, City Attorney Louis Kelly, Interim Fire Chief Jim Hils, Assistant Fire Chief Dave Jansing, City Treasurer Amy Guenther, Public Works Director Matt Stegman, Police Chief Andrew Schierberg, and City Clerk Debbie Krueger.

APPROVAL OF THE AGENDA

Mayor Hehman advised that Municipal Order 2018-07 would need to be removed from the Agenda, because Cindy Burns is unable to serve another term on the Park Board. **Mrs. Rose made a motion to approve the agenda as amended**, Mr. Pohlgeers offered a second to the motion. After asking for discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion carried by all ayes.

APPROVAL OF THE MINUTES

Mr. Pohlgeers made a motion to approve the minutes of the April 2, 2018, council meeting as presented. Mr. Hummeldorf offered a second to the motion. After asking for discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion passed by all ayes.

CITIZENS AND GUESTS

Mayor Hehman recognized Pam Dimmerman of Representative Diane St. Onge's office and asked if she had any comments for Council. Ms. Dimmerman advised that Representative St. Onge sends her greetings for Fort Mitchell City Council to keep up the good work.

PRESENTATIONS AND DISCUSSION

Senator Chris McDaniel, gave an update on the 2018 Legislative Session. Senator McDaniel stated that there were three (3) big issues this session: 1) budget 2) taxes 3) pension. Local government issues of importance were:

Budget

1. Most state agencies saw a 6.25% cut
2. Record amount of school seat funding - \$4,000 per head
3. Outcome based funding good for NKU
4. \$20,000,000 for the University of Kentucky for studies of health disparities
5. Fully funded Library Per Capita Grant Program

Tax Reform

1. Additional \$0.50 tax per pack on cigarettes
2. Personal and Corporate rates were lowered to 5% - this was retroactive so all taxes went down the first of the year by 1%
3. Maintained that there is no personal income tax if income was under 133% of the Federal poverty level. To do this a 6% State Sales and Use Tax was added to services like bowling centers, health spas, golf courses, veterinaries, etc.
4. Reduced pension exclusion from \$41,100 to \$31,100 – In Commonwealth of Kentucky we do not tax your Social Security income - \$32,000 is exempt and draw \$31,000 of retirement and there will be no state income tax up to \$94,000
5. Phase out state inventory tax by giving credits to businesses

Pension Reform

1. Phase-in of CERS Employer Contribution rate will not increase more than 12% per year
2. Uniform and equipment allowances will be excluded from retirement contributions
3. Requires use of five full fiscal years for final compensation
4. Tier 1 employees participation on or after July 1, 2003 and before September 1, 2008 required to contribute an additional 1% toward health insurance
5. Accrued sick leave time will not be allowed to reach retirement eligibility on or after July 1, 2023
6. Guaranteed rate of return for hybrid cash balance plan is changed to remove the 4% floor and to provide a guaranteed return of 85% of the geometric average 10 year net investment returns in excess of 0%
7. \$5,000 death benefit to beneficiaries of Tier III participants eliminated
8. Schools will be allowed to contract with retired/rehired Police Officers for School Resource Officers and if they are retired the schools can hire them without having to pay the retirement health insurance contributions

Senator McDaniel noted the following:

HB 373 regarding body cameras and what is and is not subject to Open Records Request. Footage that contains things like the interior of a private home, medical facility or therapy office, recordings of a sexual nature or nude images, minors or the body of a deceased individual are not subject to Open Records Request.

HBS 366 & 487 allows cities to publish audits, bid solicitations and ordinances on their websites in lieu of full newspaper publication. Postings have to stay on website for at least a year. City still must publish a newspaper advertisement with a description of the document being published online and the website address.

HB2 modernized the State's Worker's Compensation system.

There is \$30,000,000 for rehab projects on the Brent Spence Bridge. In the current year the state continues to appropriate money for the turn lane at Beechwood Road. There is \$19,000,000. appropriated for I-275 East and West pavement rehabilitation. There is \$250,000 the first year for the design of the Orphanage and Buttermilk realignment.

Mayor Hehman stated that the Senator has a great relationship with the City and he always makes time to answer emails or texts, and he wanted to thank him for all of his help, and it means a lot that he looks out for us.

Eric Mooney, Chair of Live Well Fort Mitchell and Alison Roeding gave an update on the walking paths. Mr. Mooney advised that all signs have been put in place in the North Fort Mitchell area. Existing signs were used. There are plans for three (3) additional paths: 1) Superior/Sunnymede Loop 2) Highland 3) Beechwood Loop. They will be using existing signs for these areas as well. Once all signs are in place, they plan to start "Walking Wednesdays" which will include giveaways. By the Fall of 2018 they would like to have a 5K using the paths.

Mayor Hehman said that Live Well came to Council to ask for their approval for the North Fort Mitchell area and believes they are asking Council tonight for approval for the next phase. Mrs. Boerger advised that she has received positive comments from residents and Mr. Stoeckle advised that he has been on the North Fort Mitchell path and it is very well marked. Mayor Hehman advised that hearing no negative comments from Council Mr. Mooney is ok to proceed with the signage for the other three (3) paths.

CITY ATTORNEY'S REPORT

Mayor Hehman asked Mr. Clayton Riney to address Council regarding Resolution 2018-13. Mr. Riney advised Council that he is with Midland Atlantic Properties from Kenwood, Ohio. Mr. Riney stated that he represents a nationally known bank that would like to build at the site where Average Joe's and State Farm are currently located. They have received approval to develop the property and have met with Mrs. Reddy and PDS to discuss a way to get approval for a drive-thru for the bank. It was decided that a Text Amendment to the LSC Zone would be most efficient. Mr. Riney advised that at the current time he is not at liberty to say who the bank is but feels that Council will be pleased. Mayor Hehman confirmed that there would be two (2) buildings that would need to be demolished, but the building behind Average Joe's and State Farm is not part of this project and a curb cut on Buttermilk Pike would be eliminated. Mr. Riney advised that was correct. Mayor Hehman advised that Chelsea Drive only allows for a right turn and a curb cut exiting at Avon and Buttermilk would require a traffic study. Mrs. Reddy stated that the LSC Zone is on Buttermilk between the Shell Station and Schwarte's, and Mrs. Boerger stated that on the opposite side of Buttermilk, BB&T and Victory Bank have drive-thru facilities.

Mr. Kelly performed a reading of Resolution 2018-13 authorizing a Text Amendment Application to the Kenton County Planning Commission to add banks and other financial institutions with drive-thru windows as a Permitted Use in the Limited Service Commercial (LSC) Zone. Mr. Hummeldorf made a motion to pass Resolution 2019-13. Mr. Pohlgeers made a second to the motion. Mayor Hehman asked for further discussion or questions and hearing none, Mayor Hehman called for a voice vote.

Mr. Hummeldorf	Yes	Mr. Pohlgeers	Yes
Mrs. Boerger	Yes	Mrs. Rose	Yes
Mr. Stoeckle	Yes	Mrs. Nachazel	Absent
Ms. Burns	Absent		

Ayes: 5 Nays: 0 Absent: 2 Motion Carried

Mr. Kelly performed a reading of Resolution 2018-14 approving the Dixie Highway Trolley Line Tree Removal and Replacement Master Plan.

Mayor Hehman called on Mr. Kevin Dicke to provide additional information regarding Resolution 2018-14. Mr. Dicke provided Council with a budget for the Dixie Highway Trolley Line Tree Removal and Replacement Master Plan. Davey Tree provided the cost estimate for removal and standard landscape installation of trees. There are three (3) recommendations: 1) Full removal, 2) Block by block and 3) Tree by tree. Options 2 and 3 can be phased in over time as the budget allows, but there could be slight increases if it goes more than 2-3 years. Council discussed the removal and replacement plan. Mrs. Reddy clarified that this Resolution is just stating that Council basically supports the Tree Board's plan to replace the trees.

Mr. Hummeldorf made a motion to pass Resolution 2018-14. Mrs. Boerger made a second to the motion. Mayor Hehman asked for further discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion carried by all ayes.

Mr. Kelly performed a reading of Executive Order 2018-10 appointing Adam Fuller as Fire Chief.

Mayor Hehman asked if Mr. Pohlgeers would like to give an update from the committee. Mr. Pohlgeers advised that Adam Fuller came highly recommended and was very impressive during the interview process. Mayor Hehman stated that the committee consisted of volunteers, our longest standing part time employee, the current Interim Fire Chief, Mayor and City Administrator. Mayor Hehman advised that Adam Fuller applied for the position two (2) years ago and they were impressed then, but Adam needed a little work in managing skills. He comes highly recommended, very deserving and is currently the Fire Chief in Pendleton County, a sworn position that he will need to resign. The City is very fortunate to have him as our full time Fire Chief.

Mrs. Boerger made a motion on to pass Executive Order 2018-10. Mr. Hummeldorf made a second to the motion. Mayor Hehman asked for further discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion carried by all ayes.

Mr. Fuller stated that he has been with the City for 14 years and he is very excited and looking forward to getting started. Mayor Hehman noted that there is a scheduling snafu. Mr. Fuller stated that was correct and he can't be sworn in until June 4, 2018 due to him being on vacation. Mr. Fuller thanked everyone for their support.

Mr. Kelly performed a first reading of Ordinance 2018-05 modifying the stipend for Fire Department Volunteers.

Mayor Hehman asked Fire Chief Hils to provide more information on Ordinance 2018-05. Fire Chief Hils advised that the Fire Department started using new software on January 1, 2018. After double checking the payroll side, numerous errors were found. Over \$1,000 in errors were found and this change in the Ordinance will automate the process and be more accurate. It will default to just one pay grade amount of \$15 per run. Mr. Hummeldorf asked if this would impact staffing and Fire Chief Hils advised it would make it better getting more people here at night. Mayor Hehman advised that the Ordinance will require a second reading, so Council will have time to think it over and ask more questions at that time.

Mr. Kelly performed a reading of Municipal Order 2018-05 re-appointing Paul Alley to the Fort Mitchell Economic Development Authority. Mr. Stoeckle made a motion to pass Municipal Order 2018-05. Mrs. Boerger made a second to the motion. Mayor Hehman asked for further discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion carried by all ayes.

Mr. Kelly performed a reading of Municipal Order 2018-06 re-appointing Angela Lucarelli to the Board of Adjustment. Mr. Pohlgeers made a motion to pass Municipal Order 2018-06. Mrs. Rose made a second to the motion. Mayor Hehman asked for further discussion or questions and hearing none, Mayor Hehman called for a voice vote. The motion carried by all ayes.

MAYOR'S REPORT

Mayor Hehman stated that in the next four (4) years the annual retirement expense is going to increase by \$500,000 to \$600,000 and we need to come up with a plan to pay for it. Handouts were provided to Council showing surrounding cities and the taxes they have in place and the projected retirement increases. Our tax rate is very low compared to surrounding cities. Mayor Hehman advised that he would like to propose an increase of the payroll tax from 1% to 1.25% which would generate approximately \$400,000. He would also like to propose a 3% Utility Franchise fee on Duke Energy bills that would generate approximately \$200,000. He stated that the City is about 50% rental property and he likes the Utility Franchise Fee because it is an equitable tax that renters would pay since they use our city services and our roads. Frankfort pointed out that we are not currently utilizing all of the potential revenue sources. Mayor Hehman advised that looking at the budget we either need to raise revenue or reduce fire and police personnel. He has challenged the Police Department to take another look at their budget. Adam Fuller is already looking at ways to get five (5) people around the clock and Administration has made the decision not to replace the position of Deputy City Clerk Mr. Pohlgeers advised he had no problem with the payroll tax increase and asked if it was correct that it would take about six (6) months to get it approved and phased in. Mrs. Reddy advised that was correct. Mayor Hehman advised that he is not asking Council for a vote, but is trying to educate Council so they can come back to the May 21, 2018 Council meeting with questions. Mr. Pohlgeers asked if the Finance Committee had seen this information and Mayor Hehman advised that the committee meets tomorrow evening. He reminded Council that it is not the decision of the Finance Committee, it is the decision of Council.

Mayor Hehman advised the Orphanage Road Sidewalk project is on hold due to a resident that has concerns and has not signed the easement papers. He did meet with this resident and seems to be making progress. The same situation exists with the Beechwood Turn Lane Project, and he has met with the resident on this project, but the resident needs more information.

Mayor Hehman reported that Mr. & Mrs. Becker of Floral Drive advised him that equipment is starting to show up for the Ashley Development project. They are allowed to do some earth moving, but they can't build homes until the water line is in place.

CITY ADMINISTRATOR'S REPORT

Mrs. Reddy reminded everyone that Party in the Fort is May 18. Signs for the event will be going up around the City beginning May 8. They still need volunteers and Ms. Burns is asking that Council volunteer for a two (2) hour time slot at the ticket booth. Mrs. Boerger asked that she and Mark be signed up as volunteers for two (2) hours at a booth.

Mrs. Reddy advised that Police Chief Andrew Schierberg is participating in the Dancing with the Stars fundraiser on May 31st and is very proud of him for doing so. The event will be recorded and placed on YouTube. Mrs. Reddy congratulated Andrew for his upcoming graduation from Leadership Northern Kentucky on May 11th.

Comments from Council Members

Mrs. Boerger advised that the Wall of Honor Ceremony will be held on May 28, 2018. People start to gather around 11 and the ceremony will begin at 11:30 am. There will be two (2) people inducted this year. Mr. Edgar McNabb aka Mr. Beechwood and Mr. John P. Hehman. Mrs. Boerger advised that anyone not being inducted to the Wall of Honor this year will stay in the rotation for the next ceremony.

Mr. Stoeckle reported that the Park Board met last Wednesday and have a plan for moving forward with the pavilion. They will be discussing their plan with Council in the near future. Mr. Stoeckle stated that vandalism has become an issue at park. Most recently there was damage in the amount of \$1,500 to the

restrooms. It would be good if we could have cameras at the park, but Wi-Fi bandwidth is an issue. Mrs. Boerger noted that battery operated motion sensor cameras could be an option. Police Chief Andrew Schierberg advised that this was the first he was hearing about the vandalism at the park and advised that he would add extra patrols. He stated that he would work with Park Director Kyle Bennett about some options that might work for cameras.

Mr. Hummeldorf advised that it is the season for signs and although we might want smaller signs, it would be a nightmare to police. Mrs. Reddy advised that if there are complaints we will look at them on a case by case basis.

Mr. Hummeldorf advised that the Finance Committee will meet on Tuesday, May 8, 2018 at 6:30 pm.

DEPARTMENT HEADS REPORT

Public Works Director, Matt Stegman reported that the Highland Avenue project is 100% complete. The Pleasant Ridge, Carlisle, Grace and Thompson project concrete work is about 99% complete and hope to have the mill work complete by next week. The Water District should start on the water issue in the next few weeks. Mayor Hehman noted that Mr. Stegman sent him a photo today showing that the Trolley rail is still underneath the pavement.

Police Chief, Andrew Schierberg advised that he will be participating in the Children's Law Center Dancing with the CLC Stars fundraiser on May 31, 2018. He will be dancing to the song "I Fought the Law" doing the East Coast Swing and it should be fun.

The Police Department is currently looking for a new sponsor for the community cookouts since Remke left the City.

They have been placing the Stealth Stat box on various streets in the City and are working on getting the data together to post the results for the public. The officers are spending more time on side streets and are doing more traffic stops. If residents would like the Stealth Stat placed on their street, please contact Chief Schierberg and they will try to get it put up, but sometimes mounting the equipment is an issue. Mrs. Rose asked if there was a problem at the school last week when one of the cruisers was there with the lights flashing. Chief Schierberg advised that this was being done in an effort to make the police presence known to slow traffic in school zones.

City Clerk, Debbie Krueger reported that the first quarter trash and recycling report was received from Best Way and the total landfill material was 595 tons and the total recycled material was 110 tons. Delinquent tax letters from the City Attorney were mailed April 6, 2018 and we have received almost \$48,000 in delinquent taxes since that mailing.

Mayor Hehman advised Council that the Recreation Director, Amanda Morehart will not be able to continue her duties as Recreation Director. Mrs. Reddy is working on a replacement.

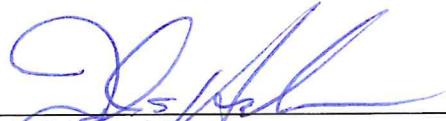
Mayor Hehman advised Fire Chief Jim Hils that the new reports from the Fire Department have more information and are very helpful.

Interim Fire Chief, Jim Hils advised that they are using a new software program that provides more accurate information. The ariel is currently out of service for repair. The two (2) grants that were discussed at the last Council meeting for staffing and AED's were submitted and we should hear back in July. It is fire hydrant flow season and it should be completed within the next 2-3 weeks. They have received seven (7) applications for replacing the opening that will be left by Adam Fuller becoming Fire Chief. Interim Chief Hils congratulated Adam Fuller.

Mayor Hehman asked if there are other hydrants around the City with the calcium deposits like the one back on Highland. Chief Hils advised that they have not identified any at this time. The Water District has been replacing with PVC and the scale doesn't seem to stick to PVC.


ADJOURNMENT

Mr. Pohlgeers made the motion to adjourn the City Council Meeting at 8:30 p.m. Mr. Stoeckle 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.



Jude Hehman, Mayor

Prepared By:



Debbie Krueger, City Clerk