

**FORT MITCHELL CITY COUNCIL
REGULAR MEETING
March 18, 2019**

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Hehman called the regular council meeting to order at 6:32 p.m.

MAYOR AND COUNCIL MEMBERS PRESENT

Mayor Jude Hehman, Vicki Boerger, Greg Pohlgeers, Michael Stoeckle, Mary Burns, Jerry Deatherage, Scott McVey and Kim Nachazel.

OTHERS PRESENT

City Administrator, Sharmili Reddy; City Attorney, Claire Parsons; Fire Chief, Adam Fuller; Police Chief, Andrew Schierberg; Public Works Director, Matt Stegman; Programs Coordinator, Janie Patterson and City Clerk/Treasurer, Amy Guenther

APPROVAL OF THE AGENDA

Mayor Hehman asked for a motion for approval of the agenda. Mr. Pohlgeers made a motion to approve the agenda. Ms. Nachazel 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

Mayor Hehman asked for a motion for approval of the March 4, 2019 minutes. Mr. Stoeckle made a motion to approve the minutes of the March 4, 2019 council meeting as presented. Ms. Boerger offered a second to the motion. After asking for discussion and hearing none, Mayor Hehman called for a voice vote. The motion passed by all ayes.

CITIZENS AND GUESTS

Mayor Hehman asked if there were any citizens or guests that wanted to speak. Mr. Joe Oka said he would like to speak about the utility franchise fee when it is addressed in the Attorney's report.

PRESENTATION & DISCUSSION

Proclamation to Beechwood Boys Basketball Team

Mayor Hehman commended the Beechwood High School boys' varsity basketball team for a great season. The City Council and employees in attendance wore red to show support for Beechwood. Mr. Pohlgeers read a proclamation from the City to the team of how they have brought honor to the school. Senior team member, CJ Brannen thanked the coaches and community for their support. Coach Goetz thanked the City for this honor. John Francis, Redwood Director, commended Beechwood for their leadership in working together with Covington Catholic High School during a difficult time.

Highland Avenue Traffic Study-Discussion and Next Steps

The Mayor stated that Blessed Sacrament is open to some traffic changes. They will get back with the City. Ms. Burns asked if we should wait to make any changes on Highland Avenue until we see the traffic effect of the Beechwood turn lane. Mr. Pohlgeers stated that before any additional monies are spent, we should see the effect of the turn lane and try the temporary no parking. From April 15th to May 15th there will be no parking on Highland Ave. from Dixie Highway to Floral from 7:00 am to 8:30 am to see how much this helps. Mr. Deatherage stated, the less the City can interrupt people's lives, the better. Ms. Reddy stated that

letters will be sent out and temporary signs will be posted. Chief Schierberg said that the police will knock on doors and request if someone needs to move their car before ticketing the first week.

CITY ATTORNEY'S REPORT

Ms. Parsons performed a first reading of **Ordinance 2019-01: Text Amendment modifying the Stage II process to allow administrative approval, adding Emergency Room to the list of permitted uses, and modifying the parking requirements in the Mixed Business Land Use (MBLU) Zone.** Ms. Reddy stated that there was a change from the one in the council packet which has been given to Council this evening. The change was that the request to modify the nonresidential (businesses) under residential was denied by the Planning Commission. All three other modifications stated in the ordinance above were approved by the commission.

Ms. Parsons performed a first reading of **Ordinance 2019-02: Creating and establishing a non-exclusive franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public right-of-way of the City of Fort Mitchell for a fifteen (15) year duration, reserving the right to impose a franchise fee in the sum of up to five percent (5%) of Franchisee's gross receipts per year from the Franchisee's sale of electricity to electric-consuming entities inside the City of Fort Mitchell's corporate limits and further providing compliance with relevant laws, regulation and standards; indemnification; insurance; cancellation or termination; all effective on date of passage.**

The Mayor asked Mr. Oka to speak. Mr. Oka stated that this franchise fee is not a fee that the utility company pays, but it is a tax. Council should include wording of what this tax is for and put this tax on the general ballot to get direct feedback from the public. Mr. Deatherage stated that this ordinance is language to put a mechanism in place to be able to implement the franchise fee if it is needed. Mayor Hehman stated that by law this franchise can be up to 20 years and he will be asking for 15 years to give time for development to take off. Mr. Oka wishes that the time frame would be shorter and council would have to vote more often and continue to evaluate if the tax is still needed. The Mayor stated that the audit now includes a pension liability of approximately \$9,000,000. The liability will need to be paid and the City is taking precautionary steps so that we can continue to discuss through the budget process and be able to pay the increased annual contributions required of the City.

Ms. Parsons performed a first reading of **Ordinance 2019-03: Creating and establishing a non-exclusive franchise for the placement of facilities for the transmission, distribution and sale of natural gas within the public right-of-way of the City of Fort Mitchell for a fifteen (15) year duration, reserving the right to impose a franchise fee in the sum of up to five percent (5%) of Franchisee's gross receipts per year from the Franchisee's sale of natural gas to gas-consuming entities inside the City of Fort Mitchell's corporate limits and further providing compliance with relevant laws, regulation and standards; indemnification; insurance; cancellation or termination; all effective on date of passage.** The Mayor stated that 3% was used for gas and electric in the preliminary calculations along with the increase in the payroll tax rate to be able to pay the increasing annual pension expense of over \$500,000.

MAYOR'S REPORT

Mayor Hehman requested that council look at the priority lists from the planning meeting and give any suggestions back to Ms. Reddy for budget preparation.

Mayor Hehman read the **Executive Order 2019-02: Declaring surplus property** of mainly vehicles and bicycles. Mr. Pohlgeers made a motion to surplus the property listed and Mr. Deatherage seconded the motion. Mayor Hehman asked if there was any discussion and hearing none, called for a voice vote. The motion passed with all ayes.

CITY ADMINISTRATOR'S REPORT

- The text amendment is going before the Planning Commission to allow a microbrewery on April 4, 2019 at 6:15 pm at the Planning and Development Services of Kenton County. They will hear public comments at this meeting.
- The City is developing a franchise agreement with MCI/Verizon to start the first phase of placing wires along Dixie Highway and Beechwood Road. A franchise agreement will be developed to improve efficiency, stipulations and possibly a fee. This franchise agreement will come before Council.
- The Dixie Highway Tree Removal and Replacement project will be starting soon. The City has installed signs, made Facebook posts, sent an E-newsletter and put an article in Fort Mitchell Living to get the word out. The Mayor stated that Duke Energy are awful arborists. Ms. Reddy stated that she and Urban Canopy are working with Duke Energy to prevent the bad tree cutting from happening in the future.

COMMENTS FROM COUNCIL

Mr. Deatherage stated that the finance committee met. They reviewed the successful audit, discussed the Duke Energy franchise fee and scheduled the finance committee budget meeting for May 7th. He thanked the committee and Amy Guenther for their work.

Mr. Pohlgeers asked when Council would be getting a copy of the budget. Ms. Reddy stated the Council budget meeting is scheduled for May 20th, so Council will receive the budget during the week before. Council members are also welcome to attend the finance committee meeting.

DEPARTMENT HEADS REPORTS

Programs Coordinator, Janie Patterson

- The City is hosting bingo on Thursday at 1:30 for ages 55 and up.
- The City will also be hosting a business networking breakfast on Thursday at 8:00 a.m. So far, 30 businesses have signed up.
- Ms. Patterson has visited the 2 senior groups that meet at Blessed Sacrament to hand out packets of community events and other helpful information.
- The City and Live Well are partnering on a healthy cleanse and they will also encourage walking along the marked paths around the City.

City Clerk/Treasurer, Amy Guenther

- Through February, which is 67% of the fiscal year, the General Fund has used 61% of the budget.
- The other funds are lower since construction season has not started yet.
- Revenues have increased from last year by \$177,000 due to the renegotiated EMS and Fire contract with Crestview Hills, the higher interest rates and the increased payroll tax rate.
- Expenses increased from last year \$144,000 due to a fuller staff in the police and fire departments.
- The Capital Replacement Fund includes expenses to prevent flooding in front of the fire bay and purchase of the small plot of land behind the public works garage.

Public Works Director, Matt Stegman

- On Ridge and West Orchard there may be a cobblestone under the road. The City is waiting on a recommendation from the engineer. There is a possibility that the cobblestone can be used to make a crosswalk.
- The State is bidding out the Beechwood Road turn lane project this month. Most of the work will be done this summer after school closes. The bids are due back March 22, 2019. The pre-construction meeting is April 3rd. Beechwood Road will be closed 10 days. The contractor will incur a \$2,500 per day fine after 10 days. The Mayor stated that the City will work out a contingency plan for the parade if Beechwood is closed on July 4th. One lane on Dixie Highway southbound will be closed for the duration of the project.
- The City is replacing the lights at Beechwood & Deauville with LED bulbs. Four decorative streetlights will be added along Deauville. The Homeowners Association is installing two coordinating lights in the parking lot to compliment the street lighting.
- Beechwood Road striping will start next week.
- SD1 is currently working on the Royal Drive storm sewer. There has been some flooding, but detours have been working out reasonably well.
- At this time, the Water District (NKWD) is looking to pay 100% of the front 600 feet of Highland Avenue. There will be a 50/50 cost (of approximately \$300,000) split between NKWD from Floral to Long Meadow.

Fire Chief, Adam Fuller


- On the Volunteer Appreciation Night, Luke Hackman, Matt Hehman and Lawson received awards.
- Chief Fuller is working with the Board of EMS to lighten costly regulation.
- The EMS billing rates have not been increased since 2012, so those rate will be revised.
- The Mayor stated that the new reporting system has detailed reporting information.

Police Chief, Andrew Schierberg

- There were 3 standout interviewees for the open position. The department will hopefully hire one of them in the next month.
- There have been complaints on Grace Avenue that drivers have been running the stop sign. The City has removed the sign saying that drivers did not have to stop if they are turning right. The police will also have more of a presence there.
- The purpose of the police on Dixie Highway is for drivers to slow down when children are going to and from school. A letter will be sent out to Blessed Sacrament parents. The police are also expanding their presence in Redwood, Guardian Angel and Blessed Sacrament.
- Ms. Burns asked about the neighborhood watch. Chief Schierberg said there was no interest when offered at community cook outs.

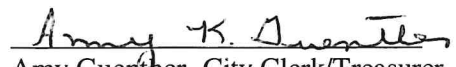
ADJOURNMENT

Ms. Pohlgeers made a motion to adjourn the City Council Meeting at 8:33 p.m. Mr. Stoeckle 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 unanimously.



Jude Hehman, Mayor

Prepared By:


Amy Guenther, City Clerk/Treasurer