

**CITY OF FORT MITCHELL, KENTUCKY
CITY COUNCIL MEETING
AT 2355 DIXIE HIGHWAY
August 26, 2019**

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Hehman called the regular council meeting to order at 6:30 p.m.

MAYOR AND COUNCIL MEMBERS PRESENT

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

OTHERS PRESENT

City Administrator, Sharmili Reddy; City Clerk/Treasurer, Amy Guenther; Police Chief, Andrew Schierberg,; Fire Chief, Adam Fuller; Public Works Director, Matt Stegman; Parks Director, Kyle Bennett; City Attorney, Claire Parsons

CITIZENS AND GUESTS

Eric Schlinger, 27 Lucerne Avenue, understands that during construction Lucerne Avenue and Highland Cemetery are used to alleviate traffic. Mr. Schlinger expressed concern that this not to be used in general as a way to alleviate traffic back up out of respect to those buried. Mr. Schlinger noted that the Mayor is newly appointed to the Cemetery Board and this may be a conflict. Mr. Pohlgeers and Mr. Deatherage stated that using the cemetery after construction is not their intention.

Megan Ireland, 76 Superior, asked why Resolution 2019-10: Authorizing an application to the Kenton County Planning Commission for a text amendment allowing projecting signs to be permitted in the Neighborhood Commercial (NC) Zone on this meeting's agenda did not have the first portion of the text amendment listed on the planning commission's website; "establishing regulations for maintaining existing cross-connections within parking lots and shared access points.". Ms. Reddy stated that this has been tabled and will be discussed under Ms. Reddy's report to Council. Ms. Ireland stated that the business owners would like notice if anything effecting property owners rights is discussed.

Erin Peabody with the 2020 Census Bureau addressed Council. Ms. Peabody stated that it is beneficial for the City to partner with the Census Bureau to get the word out to complete the Census so that there is an accurate count. The Census counts reapportions the number of House of Representatives from each state. It also effects government funding for each area. There are ten questions and additional questions will go out to a sample. Group homes will be counted in person and listers will be going around to determine where to mail the Census.

PUBLIC HEARING ON PROPERTY TAX RATE

The Mayor opened a public hearing to discuss the proposed property tax of .136 per \$100 of the assessed value. The notice of public hearing was read (see attached) by the Mayor and then the Mayor asked if anyone wished to speak. Since no one wished to speak, Mr. Deatherage made a motion to close the

public hearing and Ms. Nachazel seconded the motion. The Mayor called for a voice vote and the motion passed with all ayes.

APPROVAL OF THE AGENDA

The Mayor asked if there were any changes to the agenda. Hearing none, the Mayor asked for a motion to approve of the agenda. Mr. Pohlgeers made a motion to approve the agenda. Mr. Stoeckle offered a second to the motion. After asking for any discussion 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 August 12, 2019 minutes. Mr. Pohlgeers made a motion to approve the minutes of the August 12, 2019 council meeting. Mr. Stoeckle 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.

CITY ATTORNEY'S REPORT

Ms. Parsons performed a **second reading of Ordinance 2019-08 providing for the assessment of real property within the corporate limits of the City of Fort Mitchell, Kentucky, and levying an ad valorem tax of \$0.136 on each one hundred dollars of value of property in the City for the Fiscal Year 2019-2020 and specifying the purpose for which the tax is levied.** Ms. Burns made a motion to approve Ordinance 2019-08. Mr. Deatherage seconded the motion. The Mayor asked for a roll call vote.

Ms. Burns	Yes	Ms. Nachazel	Yes
Mr. Deatherage	Yes	Mr. Pohlgeers	Yes
Mr. McVey	Yes	Mr. Stoeckle	Yes

Ayes: 6 Nays: 0 Motion Passed.

Ms. Parsons performed a **second reading of Ordinance 2019-09 levying a tax rate at \$0.02 on each one hundred dollars of valuation of property in the City for the fiscal year 2019-2020 for the purpose of purchasing and maintaining public parks.** Mayor Hehman stated that this rate has been the same each year. Mr. Stoeckle made a motion to approve Ordinance 2019-09. Ms. Nachazel seconded the motion. The Mayor asked for a roll call vote.

Ms. Burns	Yes	Ms. Nachazel	Yes
Mr. Deatherage	Yes	Mr. Pohlgeers	Yes
Mr. McVey	Yes	Mr. Stoeckle	Yes

Ayes: 6 Nays: 0 Motion Passed.

Ms. Parsons performed a **second reading of Ordinance 2019-10 establishing a franchise fee of three percent (3%) of gross receipts from a franchise's sale of electricity and natural gas inside the City's corporate limits.** Mr. Deatherage made a motion to approve Ordinance 2019-10 and Mr. Pohlgeers seconded the motion. The Mayor asked for a roll call vote.

Ms. Burns	Yes	Ms. Nachazel	Yes
Mr. Deatherage	Yes	Mr. Pohlgeers	Yes
Mr. McVey	Yes	Mr. Stoeckle	Yes

Ayes: 6 Nays: 0 Motion Passed.

Mr. Parsons performed a **first reading of Ordinance 2019-11, confirming the sale and awarding a non-exclusive franchise to MCI Metro Access Transmission Services Corp. D/B/A Verizon Access Transmission Services for a term of ten years with option to renew for two additional five year terms for a telecommunications franchise agreement, and for the construction, placement, maintenance and operation of a telecommunication system and facilities for the transmission, delivery, provision and sale of telecommunication services along, in, on, over and under the public right-of-way within the City of Fort Mitchell, Kentucky; all upon the terms, conditions and covenants contained in the wired telecommunications franchise agreement.**

Ms. Reddy stated that she has been working with the telecommunication providers on franchise agreements for laying fiber and equipment in the public right-of-way, ten other cities and an attorney that specializes in this area. The franchise agreements have extensive stipulations to protect the City's interests. Edgewood has adopted this agreement and several other cities are going to adopt a telecommunication franchise agreement. All providers will need to be treated the same and have the same rate. Cincinnati Bell's franchise agreement has expired, so Ms. Reddy will be working on that agreement, also. Mr. Pohlgeers asked if Council will have the ability to adjust the rate. Ms. Reddy will have an answer at the next meeting. Ms. Burns asked if Cincinnati Bell will update the wiring. The Mayor stated that the City would be giving the providers the right to place wires in the right-of-way.

Ms. Parsons read **Resolution 2019-10: Authorizing an application to the Kenton County Planning Commission for a text amendment allowing projecting signs to be permitted in the Neighborhood Commercial (NC) Zone.**

The Mayor stated that we need to amend this portion of our zoning ordinance, because it was unintentionally left out when the City adopted the sign ordinances and it allows the application process to take place. If approved by the planning commission, the text amendment will come back to Council to approve. The other part of the resolution that Ms. Ireland asked about earlier has been tabled so that the City can get input from the business owners.

The Mayor asked if there were any other discussion, hearing none, he called for a voice vote and the resolution passed unanimously.

MAYOR'S REPORT

The Mayor stated that Christ Hospital's appeal for the Certificate of Need was denied. They are going to meet and try to figure out what the next step is and get back to the City. Ms. Burns asked if they also need a Certificate of Need for the emergency room. The Mayor stated that they did. The state TIF is tied to the medical space, so if that does not happen then the state TIF funding goes away.

Parking is still an issue and hopefully the business association comes up with some ideas. Council may want to think of some solutions or buy some public parking.

Kenton County received notice from the State that they will be receiving a grant to fix the guard wall and surface of I75, so this will cause some traffic closures.

The fire department's radios did not come in last fiscal year, so the Capital Replacement budget will need to be amended to move the expense to this fiscal year.

CITY ADMINISTRATORS REPORT

Ms. Reddy asked Council if they are interested in establishing regulations for maintaining existing cross-connections within parking lots and shared access points. Mr. Pohlgeers stated that he would be interested in getting feedback from businesses and the community and Ms. Burns agreed. Ms. Reddy will work on this and report back to council.

The City currently does not permit short-term rentals. Council may want to consider putting a definition of short term rentals into the City's zoning ordinance. Mr. Deatherage asked how the City police noncompliance. Ms. Reddy stated that it would be based on complaints. Ms. Nachazel stated that there needs to be an exclusion during the buying and selling process of a home for the old and new owners, since it is common for the old and new owners to rent from each other temporarily.

Ms. Reddy will begin working on the expired Cincinnati Bell franchise agreement.

On September 25, 2019 at 4:00 p.m. there is a ribbon cutting at the Massage and Wellness business by PNC.

The water and sewer Service Line Warranty letters have gone out and the City has not received any complaints.

The City has received calls about Park Road wondering what the next step is. The Mayor stated that the dam may be failing and the owner was deemed unknown by the county for the property with the lake and no one is paying taxes on it. The least expensive way to fix it is to pump the lake dry or the wall can be rebuilt and the road repaired. Mr. Pohlgeers asked if the City could make the area a park. Ms. Nachazel stated that the sidewalks need to be weeded and taken care of. Ms. Reddy will start this process.

COUNCIL MEMBER COMMENTS

Ms. Burns stated that she is excited about the Orphanage Road sidewalk.

Mr. Pohlgeers received several compliments about Chief Schierberg and the police officers directing traffic.

DEPARTMENT HEADS REPORT

Public Works Director, Matt Stegman

- The front of Highland Avenue is finished for the water main. The back section will be done in November.
- The Beechwood turn lane will be complete by the middle of September.
- The storm sewer is done for the Orphanage Road sidewalk and construction should be completed in October.

City Clerk/Treasurer, Amy Guenther

- A request for proposal has been sent out for audit services
- The City is bidding out cleaning services.
- The City will begin the process for hiring a part-time administrative assistant.

Park Director, Kyle Bennett

- The Park Board will begin the bid process for the park renovations.
- The City will take park shelter reservations through mid-October.

- The park will stay open as long as possible.
- The Park Board has discussed pocket parks.
- Flower beds have been added to Pauly Park.
- The Park Board will have an open forum to hear ideas.
- Mr. Stoeckle stated that the bathrooms and water fountain were vandalized. Mr. Bennett stated that cameras will be added.
- The Mayor stated that any unused property will need to be auctioned on GovDeals.com

Fire Chief, Adam Fuller

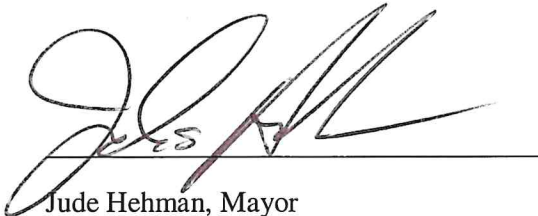
- There were two accidents on 75 south today.
- The fire department has three Beechwood interns.

Police Chief, Andrew Schierberg

- The Police department hired Kayne Brown. He is retired from Boone County Sheriff's Department.
- There are one to two applicants for the crossing guard positions.
- The police have been directing traffic at Dixie Highway and Beechwood.
- The Police department has been monitoring speeds on Lucerne Avenue when the cemetery gates are closed and when they are open. 82% vs. 64% are going 20 mph or less; 17% vs. 32% are going 21-25 miles mph; and 1% vs. 3% are going 26-30 mph.
- The safety committee proposed to change neighborhood streets to 20 miles per hour. This would lower the chance of death due from a car accident. Any feedback is welcome.

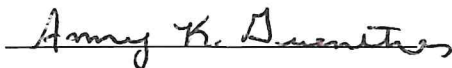
ADJOURNMENT

Mr. Pohlgeers made a motion to adjourn the City Council Meeting around 8:47 p.m. Mr. Deatherage 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