

**CITY OF FORT MITCHELL, KENTUCKY
SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBER
2355 DIXIE HIGHWAY, FORT MITCHELL, KY 41017
November 1, 2021, 6:30 p.m.**

CALL TO ORDER / ROLL CALL

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

ROLL CALL OF COUNCIL MEMBERS

Mayor Hehman asked Ms. Guenther to call roll. The following council members were present: Mary Burns, Vicki Boerger, Kim Nachazel, Greg Pohlgeers, Alyson Roeding, Jerry Deatherage and Michael Stoeckle. Mayor Hehman stated that there was a quorum present.

OTHERS PRESENT

City Administrator, Edwin King; City Clerk/Treasurer, Amy Guenther; Police Chief, Andrew Schierberg; Fire Chief, Adam Fuller, Programs Coordinator, Joe Christofield and City Attorney, Claire Parsons

APPROVAL OF THE AGENDA

Mayor Hehman asked if there were any changes to the agenda. No changes were noted. Mr. Pohlgeers made a motion to approve the agenda. Ms. Nachazel seconded the motion. After asking for any discussion and hearing none, Mayor Jude Hehman called for a voice vote. The motion carried with all ayes.

APPROVAL OF THE MINUTES

Mayor Jude Hehman asked if there were any changes to the October 11, 2021, minutes. No changes were noted. Mr. Stoeckle made a motion to approve the minutes of the October 11, 2021, council meeting. Ms. Burns seconded the motion. After asking for discussion and hearing none, Mayor Jude Hehman called for a voice vote. The motion carried with all ayes.

CITIZENS AND GUESTS

The Executive Director of TBNK, Tim Broering explained that the new Cincinnati Bell Telecommunication Franchise Agreement includes two five-year terms for a total of ten years and has the same 5% franchise fee as the previous contract. The agreement eliminates PEG fees, maintains the NKU and six local programming channels and protects the cities rights. Mayor Hehman stated that the City receives a little over \$65,000 and the cable usage is declining because of streaming services. Mr. Broering stated that 71% of households still have wired cable. The City was in the state plan from 2006 until 2017 and the City's revenue increased 50% when the City left the state plan. The contract allows the City to enter back into the state plan if that becomes more advantageous in the future. Mr. Pohlgeers stated that the guide does not specify what cities' meetings are being televised. Mr. Broering stated this is a system wide data and mechanical issue for both Cincinnati Bell Fioptics and Spectrum Cable.

Ms. Linda Oberst, owner of 414 Summit Avenue stated that a petition has been signed by 42 Crescent Park residents complaining about numerous incidents involving 410 Summit Avenue

including walking in a neighbor's house uninvited, peeping in windows, exposing oneself in windows and at the bus stop, obnoxious drinking in the middle of the night on other people's property, sexual assault, windows covered in card board, and unkempt property. The residents would like to live peacefully and receive assistance from the City of Fort Mitchell in this matter.

Ms. Diane Huber, a prior resident of 414 Summit Avenue stated that one of the residents followed her into her house uninvited and tried to assault her and also knocked on her bedroom window sometimes. She sold the house because of these issues.

Ms. Marsha Gibbon from 2528 Clay Ct., stated that there are a number of renters in the house that are constantly changing. Ms. Gibbons asked if there is a nuisance process.

Mr. Pohlgeers stated that there is an outstanding Code Enforcement citation, and he advised the residents to report code enforcement issues to Kenton County Planning and Development services and crimes to the police immediately during the crime.

Chief Schierberg stated that the police and City have to operate within the parameters of the law. The nuisance ordinance kicks in once there are three proven crimes within 60 days or 12 proven crimes within 1 year. The calls are often made after the fact and need to be made during the crime so that the crime can be proven. The police are providing extra patrols in that area. Chief Schierberg stated that cameras can really help also.

Ms. Stacia Reed stated that there is a peeping tom that looked in her neighbors window and she reported it within 5 minutes. Also, one night the police surrounded 410 Summit Avenue at 4:00 a.m. Ms. Reed stated that she has both on camera and is scared to live there.

Mr. Steven Oberst, owner of 414 Summit Ave and father of Ms. Reed, stated that the owner of the house owns Guru India, and the residents are employees of Guru India. Mr. Reed asked if it was legal to check for illegal immigrants. Chief Schierberg stated that only if there was reasonable suspicion could police ask for documentation.

Ms. Nachazel stated that there is an ordinance that only a certain number of unrelated people could live in a house.

Mayor Hehman stated that he will check on the code enforcement issues, complaints and multiple renters.

CITY ATTORNEY'S REPORT

Ms. Parsons provided a second reading of **Ordinance 2021-08: Amending Ordinance 2021-04: Increasing the number of public works laborer positions from three to four** to be published in summary. Mayor Hehman asked if there was any discussion. Hearing none, Ms. Boerger made a motion to approve Ordinance 2021-08. Mr. Deatherage seconded the motion. Mayor Hehman call for a roll call vote. Motion Passed.

Mr. Deatherage Yes
Mr. Pohlgeers Yes

Ms. Roeding Yes
Ms. Nachazel Yes

Ms. Burns	Yes	Mr. Stoeckle	Yes
Ms. Boerger	Yes		

Ms. Parsons provided a first reading of **Ordinance 2021-09: Cincinnati Bell Franchise Agreement**. Since Mr. Broering spoke at the beginning of the meeting there were no additional questions or discussion.

Ms. Parsons provided a first reading of **Ordinance 2021-10: Setting 2022 City Council Meeting Dates**. Mr. Pohlgeers stated that the Beechwood School Board meets on the 2nd and 4th Monday of the month. The City schedules around holidays and there is very little overlap with the Beechwood School Board.

Ms. Parsons provided a first reading of **Resolution 2021-14: Authorizing the Mayor to sign the Fire/Ems Interlocal Agreement with the City of Crestview Hills**. Mayor Hehman stated that this used to be a competitive bid, but now Crestview Hills divides the City between Edgewood and Fort Mitchell. Crestview Hills' City Council will also need to approve this contract. Mr. King stated that this is a ten year contract renewable annually that increases 4% per year. If any unusual financial circumstances occur after the first four years, the contract can be renegotiated.

MAYOR'S REPORT

- There has been a request for golf carts to be allowed to be driven on the back streets. Ms. Nachazel stated that golf carts are not allowed to be driven on State roads by law or on sidewalks. Ms. Nachazel stated that they may be appropriate for certain areas. Mr. Pohlgeers and Ms. Nachazel stated that they would not approve a law allowing golf carts throughout the City.
- The Tree Board has recommended the City accept the bid from Evans Landscape for the Dixie Highway Tree Removal and Replacement project, based on the success rate of the trees in the former two phases. The Mayor wanted to make sure that it was okay with council.
- Mr. King, Judge Executive Kris Knochelman and Transportation Secretary Jim Gray will be looking at potential sides for the Kentucky Department of Transportation to build on.
- One lane of the Brent Spence Bridge has opened.
- Mayor Hehman read **Executive Order 2021-21: Surplus of Scrap Property and a Police 2014 Dodge Charger** that needs significant repairs to the engine. Mayor Hehman asked if there was any discussion. Hearing none, Mr. Deatherage made a motion to approve Executive Order 2021-21 and Ms. Burns seconded the motion. Mayor Hehman called for a voice vote and the motion passed with all ayes.
- There is a K-9 presentation at Highland Cemetery with Rob Sanders on Wednesday, November 3, 2021

CITY ADMINISTRATOR'S REPORT

- Michels Construction ran into a wet spot on Watch Hill Road, but the City and the engineers solved the issue quickly. The first base coat will be applied to the road this fall and the second base coat will be applied in the spring.

- There has been a delay in delivery of a concrete pipe. If the pipe does not arrive by November 8, 2021, then the remainder of the project will be delayed until spring.
- The sidewalk on Virginia Avenue is nearly complete. Mr. Koch, public works crew leader, noticed dips in the backfill and had Adleta come in on Saturday to fill the holes so that children were safe during Trick-or-Treat. Mr. King stated that a kid walked through the wet concrete and Adleta will be fixing that.
- Ms. Boerger thanked Mr. Koch for solving a leak that had been occurring for many years due to an uncapped water line.

CITY COUNCIL COMMENTS

- Ms. Burns stated that school kids were running on a dangerous part of Beechwood Road around the railroad tracks. Mr. King stated that he would call Beechwood.
- Ms. Nachazel stated that Highland Cemetery is hosting its annual veterans ceremony on Sunday, November 7, 2021 at 2:00 p.m.

DEPARTMENT HEAD REPORTS

City Clerk/Treasurer, Amy Guenther

- 86% of the property taxes have been processed as of today.
- The City will be receiving \$260,000 of Bank Deposit Taxes over budget due to unusually high bank balances due to stimulus monies.

Police Chief, Andrew Schierberg

- At training, Chief Schierberg learned about the M-2-LE cooperative agreement between Kentucky Law Enforcement Agencies and the US Military. This program allows soon-to-be-separating service members to be granted 180 days to train and learn a skill; therefore, Cities can hire service members and they can attend most of the police academy while still being paid by the US military program. MP's from the Airforce do not need to attend the police academy. The department will apply for this program.
- The department is in the middle of hiring a detective and there are two other openings in the department.

Programs Coordinator, Joe Christofield

- Lakeside Park and Fort Mitchell will hold an ice-skating event on November 24, 2021
- Planning for the tree lighting, Santa parade, Christmas light contest and snow tubing at Perfect North are in process.
- Ms. Roeding stated that there was a store front contest run by Christy Newman.

Fire Chief, Adam Fuller

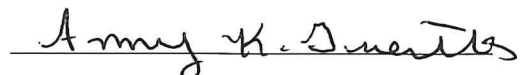
- Hero's night generated a check to the Children's Home for approximately \$2,800.
- 2,682 people were educated in October
- Firefighters Stasko, Ratliff and Wigger completed Rope Rescue Technician Training
- There will be live propane fire training in the parking lot this week.
- The City's interns were asked to join Covington's live training.
- A firefighter/medic resigned last week so the department has a full-time opening.

ADJOURNMENT

Mr. Pohlgeers made a motion to adjourn the City Council Meeting and Mr. Stoeckle seconded the motion. Mayor Hehman asked if there was any discussion or questions and hearing none, Mayor Jude Hehman called for a voice vote. The motion carried unanimously.


Jude Hehman, Mayor

Prepared By:


Amy Guenther, City Clerk/Treasurer