

**CITY OF FORT MITCHELL, KENTUCKY
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBER
2355 DIXIE HIGHWAY, FORT MITCHELL, KY 41017
April 11, 2022, 6:30 p.m.**

CALL TO ORDER / ROLL CALL

Mayor Jude Hehman, called the regular council meeting to order at 6:30 p.m. and instructed everyone to stand for the Pledge of Allegiance.

ROLL CALL OF COUNCIL MEMBERS

Ms. Guenther called roll. The following council members were present: Mary Burns, Kim Nachazel, Greg Pohlgeers, Alyson Roeding, Jerry Deatherage, and Vicki Boerger. Michael Stoeckle was absent. A quorum was present.

OTHER STAFF PRESENT

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

APPROVAL OF THE AGENDA

Mayor Hehman stated that the ceremony on the agenda for new police officers was rescheduled for May. Mayor Hehman asked if there were any other changes to the agenda. After hearing no comments, Mr. Deatherage made a motion to approve the agenda. Ms. Boerger seconded the motion. Mayor Hehman called for a voice vote. The motion carried by all ayes.

APPROVAL OF THE MINUTES

Mayor Jude Hehman asked if there were any changes to the March 7, 2022, minutes. No changes were noted. Ms. Burns made a motion to approve the minutes of the March 7, 2022 council meeting. Ms. Roeding 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

Mr. Dave Hentz, resident at Fort Mitchell Place, showed pictures of litter in the woods near Fort Mitchell Place and requested that the area be cleaned up. Mayor Hehman stated that the Public Works department just cleaned trash on Orphanage Road. The area near Grandview and Beechwood is scheduled for the end of this week. Ms. Burns stated the blue bags and railroad ties next to the railroad tracks have been sitting there for six weeks and also needed to be cleaned up.

Mr. Robert Kaiser, 35 Virginia Avenue, would like to read an email on behalf of Megan Ireland sent to Council on April 11th regarding the development at 261 Grandview Drive. Ms. Parsons said that the letter cannot be part of the previous public hearing administrative records. The letter was read as follows:

1. Citizens were very surprised when we saw the signs for the new Fischer development. Many expressed that city leadership asked the community to work against the apartments in 2019 and were surprised the townhome project was moving forward. What is different about this project? Why does it have the support of council and the administration?
2. If the big concern was Beechwood enrollment in 2019, how is this project different? The school expansion was already planned in 2019 so this seems inconsistent. Townhomes will increase enrollment; the proposed senior living that was denied would have had the least impact. Furthermore, the Beechwood Superintendent stated in a 2020 board meeting that the school would allow 5 tuition students per grade due to low enrollment, so it seems there was room in 2019.
3. Green space was a concern in the past. Where will that be?
4. How have the traffic concerns changed with the new proposal?
5. The City mentioned costs to maintain roads in 2019. Since that time, the city received proposals with private streets. Why is the city looking to approve the townhomes with public roads that will incur service and maintenance fees?
6. I urge you to delay the vote and schedule a town hall for community input. I would like to see the same estimates of city costs, expected tax revenue, etc. presented and discussed at the 2019 meeting at Lakeside Christian Church. A great number of citizens have expressed the desire and need for senior housing. Please listen to your constituents before approving the townhomes.

Mr. Kaiser stated that he watched the PDS meeting on February 3rd for this property. There was a proposal to change the zoning from R1-c to R-1d. The development has 5 patio homes and 45 townhomes. There is a lack of senior housing, and seniors will stay away from townhomes. At the PDS meeting on February 3rd the zoning was recommended to change but Pat Dembo gave an unfavorable recommendation due to lack of green space. Mr. Berling stated that the park is across the street and would provide additional green space. Some people in the PDS meeting stated that the terrain is steep, and the woods are 21% private, so it is not open green space. A PDS director, Ms. Tenfelde, in response to the waiver request to deviate from changing the cul-de-sac from 65 feet requirement to a 38 foot wide street stated that this could be an issue for emergency vehicles. RCD will become PUD. Is PUD just for this location? Also, the Tree Board number of members was adjusted in the last council meeting. Mr. Kaiser would like the public to know what number of members was adjusted from and to.

Mr. King stated that this property was going to continue to be zoned business property through the Z21 zoning process. Council discussed with the owner the zoning that would make the property more marketable and changed this property to a Planned Unit Development, which will have commercial and single family residential homes. The only reason this came before PDS is because PUDs are in the Z21 ordinance and the Z21 ordinance had not gone into effect yet.

CITY ATTORNEY'S REPORT

Ms. Parsons provided a second reading of **Ordinance 2022-04: Amending the Official Zoning Map for the City PC2201-003**. Mayor Hehman asked if there was any discussion. Hearing none, Ms. Burns made a motion to approve Ordinance 2022-04. Mr. Deatherage seconded the motion. Mayor Hehman called for a roll call vote. Motion passed unanimously.

Ms. Boerger	Yes	Ms. Nachazel	Yes
Ms. Burns	Yes	Ms. Pohlgeers	Yes
Mr. Deatherage	Yes	Mr. Stoeckle	N/A
Ms. Roeding	Yes		

Mayor Hehman asked for Adam Fuller to explain the change in fire ordinances 2022-05 through 2022-08. Chief Fuller stated that the fire ordinances were revised to remove old titles, reflect the new volunteer program and stipends, correct a mathematical error of the circumference of burning, clarify the distance of fires to be 10 feet from all buildings and to reflect national and state fire and safety standards. Mr. Deatherage asked how the public would be notified about the change in ordinances. Chief Fuller stated that the public education would be pushed out through social media. Mr. Pohlgeers thanked Chief Fuller since he had asked Chief Fuller to review and change the burn ordinances.

Ms. Parsons provided a first reading of **Ordinance 2022-05: Amending Ordinance Chapter 35 Relating to the Fire Department Provisions**. The assistant fire chiefs were decreased from four to two positions and the social officer positions were eliminated. The stipends eligibility rules and amounts were adjusted. Sirens and lights on private vehicles were disallowed.

Ms. Parsons provided a first reading of **Ordinance 2022-06: Amending Ordinance Chapter 151 Relating to Smoke Detectors**. The Fire Inspector position was removed from the ordinance.

Ms. Parsons provided a first reading of **Ordinance 2022-07: Amending Ordinance Chapter 150 Relating to Building Regulations**. The Fire Inspector position and duties was removed from the ordinance.

Ms. Parsons provided a first reading of **Ordinance 2022-08: Amending Ordinance Chapter 91 Relating to Fire Prevention Open Burning**. Fireworks must meet the requirement of the National Fire Protection Association. Restriction for open burning were amended. No recreational fires or fire pits shall not be closer than ten feet of a building and may not be more than three feet in diameter. Mr. Deatherage asked how we get this back to the residents. Chief Fuller public education and a push through Facebook.

Ms. Parsons read **Resolution 2022-05: Return Unused CDBG Utility Assistance Grant Funding**. Edwin King stated that the Kentucky Department of Local Government (DLG) reached out to Fort Mitchell and other cities to let them know that the CDBG utility assistance grant funds have not been used and cannot be used until all the other utility assistance grant funds have been exhausted. DLG requested that cities return the funds, so that the funds can be repurposed. Residents of the City can still apply for utility assistance through the county and state. Ms. Roeding made a motion to approve Resolution Order 2022-05 and Ms. Burns seconded the motion. Ms. Boerger abstained from voting due to an employment conflict. The mayor called for a voice vote and the motion passed with all ayes.

Ms. Parsons read **Resolution 2022-06: Authorization to Apply for CDBG Funds** on behalf of the Diocesan Catholic Children’s Home (DCCH) as a pass-through grant. Edwin King stated that DCCH would like to make upgrades to their property. Mr. Deatherage made a motion to approve Resolution Order 2022-06 as read, and Mrs. Nachazel seconded the motion. Ms. Boerger abstained from voting due to an employment conflict. The mayor called for a voice vote and the motion passed with all ayes.

Ms. Parsons read **Resolution 2022-07: Amending Personnel Policy**. Mr. King stated that most of the changes were updates for new laws and housekeeping items. Ms. Boerger made a motion to approve Resolution Order 2022-07 as read, and Mr. Pohlgeers seconded the motion. The mayor called for a voice vote and the motion passed with all eyes.

MAYOR'S REPORT

- Mayor Hehman read **Executive Order 2022-09 Property Surplus**. Some items from the list include: a 2005 Harley Davidson Motorcycle which no employees have a license to drive it and a 2018 Chevy Tahoe where the brakes have repeatedly gone out. The department heads went through the basement storage and made a list of items that will be auctioned off on govdeals.com. Mrs. Roeding made a motion to approve Executive Order 2022-09 as read and Ms. Burns seconded the motion. The mayor called for a voice vote and the motion passed unanimously.
- Mayor Hehman is rescinding is Executive Order 2020-05 which declared a state of emergency for the COVID pandemic since the state rescinded their COVID state of emergency. This will affect tents for outdoor dining and some policies.
- Mayor Hehman announced the Arbor Day proclamation that declared April 29, 2022 Arbor Day in the City of Fort Mitchell.
- Senator McDaniel texted the Mayor that \$211,000 is earmarked for design and \$5 million for grinding and paving construction on Dixie Highway from Buttermilk Pike to I75. The Mayor stated that he will push for more money for curb, gutter and drainage on Dixie Highway. Mr. Pohlgeers stated that Dixie Highway is a state road, and the City is spending their own money to fix pot holes. Ms. Boerger stated that the Mayor, members of Council and department heads went to Frankfort and discussed the poor condition of Dixie Highway. She is glad they listened.

CITY ADMINISTRATOR'S REPORT

- The bill to correct volunteer reporting to retirement was vetoed today.

CITY COUNCIL COMMENTS- Mary Burns reminded everyone of the tree giveaway on April 30, 2022.

DEPARTMENT HEAD REPORTS

City Clerk Treasurer, Amy Guenther

- The financial statements are in the packet and the expenses are under budget.

Police Chief, Andrew Schierberg

- There have been some thefts in vehicles. Remember to lock car doors and do not leave valuables in your car.

Public Works Director, Nick Tewes

- The concrete pad has been laid for the pavilion.
- Virginia Avenue trees are being planted.
- Grace Avenue reconstruction started Wednesday.

Fire Chief, Adam Fuller

- ISO upgraded the City’s rating from a 2 to a 3. This will lower commercial insurance premiums. This decrease was achieved through a group effort.

Programs Coordinator, Joe Christofield

- April 16, 2022, Document Destruction 9am-12pm
- April 16, 2022, East Egg Hunt 10am-12pm
- April 23, 2022, City Wide Yard Sale 8am-12pm
- April 23, 2022, Clean Up Fort Mitchell Day 9am-12pm
- April 30, 2022, Large Item Pick Up by Bestway Morning
- April 30, 2022, Arbor Tree Giveaway 8am-12pm
- June 9, 2022, Senior Bingo at Lakeside Park
- July 4, 2022, Parade-Grand Marshal is Vent Haven 12:30 p.m.

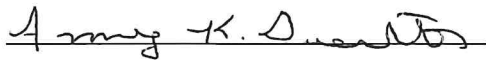
ADJOURNMENT

Mr. Pohlgeers made a motion to adjourn the City Council meeting and Ms. Roeding seconded the motion. Mayor Hehman asked if there was any discussion or questions. Hearing none, Mayor Hehman called for a voice vote. The motion carried unanimously, and Mayor Hehman closed the meeting at 7:28 p.m.



Jude Hehman, Mayor

Prepared By:



Amy Guenther, City Clerk/Treasurer