

**CITY OF FORT MITCHELL, KENTUCKY  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBER  
2355 DIXIE HIGHWAY, FORT MITCHELL, KY 41017  
December 11, 2023, 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 led the Pledge of Allegiance to the Flag.

**MAYOR AND COUNCIL MEMBERS PRESENT**

Ms. Guenther called roll: Vicki Boerger, Jerry Deatherage, Jeff Dietrich, Kim Nachazel, Greg Pohlgeers, Mike Stoeckle and Alyson Roeding were present. Mayor Hehman stated that a quorum of the City Council was in attendance.

**OTHERS PRESENT**

City Attorney, Olivia Amlung; City Administrator, Edwin King; City Clerk/Treasurer, Amy Guenther; Fire Chief, Dave Slusser; Public Works Director, Nick Tewes; Police Chief, Rob Nader and Programs Coordinator, Joe Christofield.

**APPROVAL OF THE AGENDA**

Mayor Jude Hehman stated that there was a correction to the agenda. Reappointment of Joe Hayes to the Board of Adjustments should also be added to Municipal Order 2023-11. Mr. Pohlgeers made a motion to approve the amended agenda. Mr. Stoeckle seconded the motion. After asking for any discussion and hearing none, Mayor Jude Hehman called for a voice vote. The motion passed unanimously.

**APPROVAL OF THE MINUTES**

Mayor Hehman asked if there were any changes to the November 13, 2023, minutes. No changes were noted. Mr. Deatherage made a motion to approve the November 13, 2023, council meeting minutes. Mr. Pohlgeers seconded the motion. After asking for discussion and hearing none, Mayor Hehman called for a voice vote. The motion passed unanimously.

**SWEARING-IN OF ASSISTANT FIRE CHIEF JEFF HAMPTON AND CAPTAIN ADAM SCHIERBERG**

Chief Slusser announced that Jeff Hampton is the new Assistant Fire Chief. Chief Slusser stated that Assistant Chief Hampton has shown dedication and commitment to the Fort Mitchell Fire Department. Assistant Chief Hampton's experience and competence have won him the respect of his colleagues and made him a natural choice for this new role. Mayor Hehman swore in Assistant Chief Hampton and congratulated him. His wife, Donna, was there to support him. Assistant Chief Hampton thanked Chief Slusser, his wife and kids and said he was honored to help lead the department with Chief Slusser.

Chief Slusser introduced Adam Schierberg as the new Captain in the Fire Department. Chief Slusser stated that Captain Schierberg has consistently demonstrated leadership qualities. Captain Schierberg's wife Christy pinned him. Captain Schierberg stated that he looks forward to working with Chief Slusser and Assistant Chief Hampton.

**CITIZENS AND GUESTS**

Patty Kaiser of 35 Virginia Avenue stated that as a crossing guard, she is concerned that someone is going to get hurt when motorized scooters have no lights when it is dark outside. Mr. Pohlgeers stated that Council work on electric scooter safety information and a new ordinance. Parents also need to educate their children. Mayor

Hehman stated that lights on scooters are a good idea. Mr. Deatherage stated that scooter drivers need to be taught the rules of the road.

#### **CITY ATTORNEY'S REPORT**

Ms. Amlung performed a second reading of **Ordinance 2023-15 Amending Chapter 73 Related to Motor Assisted Vehicles, Bicycles and Motorcycles**. Ms. Amlung stated there was one minor adjustment from the last meeting eliminating the term "play street" that did not merit another first reading. Ms. Nachazel asked if the word "light" could be added to 73.02A. Ms. Amlung stated that lights are regulated by the state in KRS 189.140, which means it would be an enforcement issue and not an ordinance issue. Ms. Nachazel stated that she would be okay with passing the ordinance and then amending the ordinance later. Ms. Amlung stated that we could make the changes and have a first reading tonight and then vote on this at the next meeting. Mayor Hehman stated that he thought that everyone seemed supportive of adding "lights" to the ordinance. Ms. Amlung stated that if Council wants very specific language in the ordinance, a first reading should be done at the next meeting. Mr. Deatherage stated that he thought the City should start communicating to parents, the community and the schools that Council is working on a motorized vehicle ordinance. Mayor Hehman stated that Council is going to table this ordinance for changes and a new first reading until the next meeting.

Ms. Amlung performed a second reading of **Ordinance 2023-16 Setting 2024 Council Meeting Dates**. Mayor Hehman asked if there were any questions regarding this ordinance. Ms. Boerger made a motion to approve Ordinance 2023-16. Ms. Nachazel seconded the motion. Mayor Hehman called for a roll call vote. The motion passed unanimously.

|               |     |                |     |
|---------------|-----|----------------|-----|
| Ms. Boerger   | Yes | Mr. Deatherage | Yes |
| Mr. Dietrich  | Yes | Ms. Nachazel   | Yes |
| Mr. Pohlgeers | Yes | Dr. Roeding    | Yes |
| Mr. Stoeckle  | Yes |                |     |

Ms. Amlung performed a second reading of **Ordinance 2023-17 Amending the Number of Public Works Crew Leader Positions** from one to two. Mr. Deatherage made a motion to approve Ordinance 2023-17. Mr. Pohlgeers seconded the motion. Mayor Hehman called for a roll call vote. The motion passed unanimously.

|               |     |                |     |
|---------------|-----|----------------|-----|
| Ms. Boerger   | Yes | Mr. Deatherage | Yes |
| Mr. Dietrich  | Yes | Ms. Nachazel   | Yes |
| Mr. Pohlgeers | Yes | Dr. Roeding    | Yes |
| Mr. Stoeckle  | Yes |                |     |

Ms. Amlung performed a first reading of **Ordinance 2023-18 A Map and Text Amendment to the Zoning Ordinance Related to the Fort Mitchell Gateway Project**. Mayor Hehman asked if there were any questions. Hearing none, Mayor Hehman stated that no action is needed on this tonight.

Ms. Amlung read **Municipal Order 2023-07 Reappointment of Greg Pohlgeers as Representative and Jude Hehman as Alternate to PDS Council**. Dr. Roeding made a motion to approve Municipal Order 2023-07. Ms. Boerger seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Municipal Order 2023-08 Reappointing of Shane Noem and Gregory Lunn to the Ethics Board**. Mr. Dietrich made a motion to approve Municipal Order 2023-08. Mr. Stoeckle seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Municipal Order 2023-09 Appointing of Julie Hart and Sam Cahill to the Park Board.** Mr. Stoeckle made a motion to approve Municipal Order 2023-09. Ms. Nachazel seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Municipal Order 2023-10 Appointing of Micah Zimmerman to the Code Enforcement Board.** Ms. Boerger made a motion to approve Municipal Order 2023-10. Dr. Roeding seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Municipal Order 2023-11 Reappointing of Lisa Meiman and Joe Hayes to the Board of Adjustment.** Mr. Pohlgeers made a motion to approve Municipal Order 2023-11. Mr. Deatherage seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Resolution 2023-18 Surplus of Police Equipment.** Mayor Hehman stated that the City would be selling two police cruisers with equipment to another city. Mayor Hehman asked if there were any questions. Dr. Roeding made a motion to approve Resolution 2023-18. Ms. Boerger seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

#### **MAYOR'S REPORT**

- Ormsby will have an office near Bru Burger restaurant that will provide information for people who are interested in moving into the senior living facility including furnishing selections and will feature a furnished model. There will be an open house for Council members on either January 3<sup>rd</sup>, 4<sup>th</sup> or 5<sup>th</sup>.
- The Mayor's luncheon is on Friday, December 15<sup>th</sup> and Council is invited to attend.

#### **CITY ADMINISTRATOR'S REPORT**

- KEFDA approved the TIF amendment unanimously. This approval and the zoning change were the two biggest hurdles for the Gateway Development project.

#### **CITY COUNCIL COMMENTS**

- No comments.

#### **DEPARTMENT HEADS REPORT**

##### **Programs Coordinator, Joe Christofield**

- Scooter safety tip flyers were sent to both Blessed Sacrament and Beechwood School. There will also be safety tips on social media, in the Fort Mitchell Neighbors magazine, on the City's website, e-newsletter and the city's digital sign.
- The Santa Claus parade will be held on Tuesday, December 12<sup>th</sup> and Thursday, December 14<sup>th</sup> at 5:00 p.m. Please check the website for designated streets.
- Fort Mitchell PNC Festival of Lights event will be on Saturday, December 16<sup>th</sup> at the Cincinnati Zoo. Fort Mitchell residents can purchase discounted tickets for \$8.00 at the City Building. Tickets are good for the entire season through January 7, 2024.
- Holly Jolly Day is on Sunday, December 17<sup>th</sup> from 1:00 p.m.–5:00 p.m. at the Behringer-Crawford Museum. Admission is free for Fort Mitchell and Lakeside Park residents.
- The Grinch movie private screening will be on Monday, December 18<sup>th</sup> at 10:00 a.m. at the Cinemark Florence 14. Fort Mitchell residents can purchase \$3.00 discounted tickets at the City Building.

**City Clerk/Treasurer, Amy Guenther**

- 99.3% of city property taxes have been collected.
- Delinquent tax letters have been sent out.
- Mr. Pohlgeers asked about the delinquent taxes for mobile homes. Ms. Guenther stated that the total delinquent amount is a small dollar amount and that these taxes are difficult to collect since the Kenton County vehicle transfer system does not communicate with the property system so that back taxes can be paid during transfers. Also, mobile homes are often deserted, and the owners move away.

**Public Works Director, Nick Tewes**

- The Public Works building construction has started. The Public Works department did some "house cleaning" and put old equipment and a truck up for auction on govdeals.com.
- Public Works has a new truck for the Parks.

**Fire Chief, Dave Slusser**

- 142 service calls were made in November.
- 6 car seats were installed.
- 6 public education events were conducted.
- 5 CPR classes were held and 37 people attended.
- CPR classes will be held in 2024. Each class can hold up to 10 students, 12 years old and older. Cost is \$20.00 for the 3-hour class.

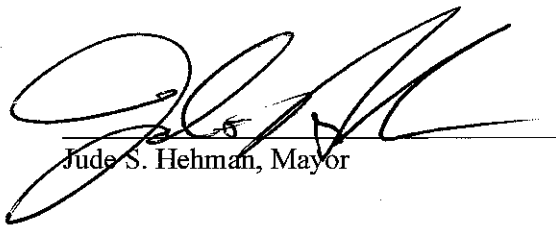
**Police Chief, Rob Nader**

- The City of Williamsburg was thankful for the cars that the City of Fort Mitchell sold them.
- We are currently in the process of hiring our 16<sup>th</sup> officer to fully staff the department.
- The police department takes cases regarding juveniles and schools seriously. The department first checks to see if there is a threat. Then the department investigates if there is evidence of a crime. In quite a few of these cases, no crime or probable cause is identified. These investigations are reviewed by Kenton County Attorney's office as an additional check to see if our department missed any evidence or crimes. The Kenton County Attorney's office has always said "you don't have anything." The investigation is then closed, and this information is communicated to the school. The school and the police department are two separate entities. Officer Pangallo is the school resource officer. People want names, but the police department has to first complete the investigation. By state law, juvenile records are exempt from open records. I did not write the law, but I think it is so that kids are not labeled for life for making "kid" mistakes. The department cannot release the juvenile accuser or accused names. If there is an active threat, of course the police department will investigate and alert people. But if there's not, it is for the school to handle.
- Mr. Pohlgeers stated that he saw a specific post on social media where someone stated that the City should be communicating to the public. Since the Fort Mitchell police did not identify a threat or crime, then it became an internal school matter. Mr. Pohlgeers stated that he has 100% confidence and appreciates Chief Nader and Officer Pangallo and all they do.
- Chief Nader stated courts are different for adults than juveniles. The police department can not speak too much, but police might say something general like the threat has been handled. Individuals are not guilty until they go before a judge. And, still, with a juvenile the name will not be released. This is standard procedure. Again, they are kids. The police will handle any threats. People make all kinds of comments on social media and the police chief cannot monitor these posts 24/7 and respond back.

- Mayor Hehman stated that people have contacted him through Facebook and expect him to take action. The mayor and council are policy makers and not law enforcement. Chief Nader stated that nobody is trying to be evil, but there are a lot of miscommunications out there. All the police department can do is enforce laws. If the law is not there, the police cannot enforce something just because someone does not like the way it is.
- On May 3<sup>rd</sup>, 2024, at 8:00 a.m., there will be a City golf outing to benefit DCCH. The event is called "Raise the Roof" to help pay for new shelter roofs since many residents use these shelters. There will be a limit of twenty-five teams. There will be a need for volunteers and sponsors.

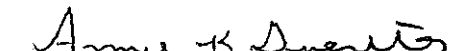
#### **ADJOURNMENT**

Mr. Pohlgeers made a motion to adjourn the City Council meeting at 7:17 p.m. and Dr. Roeding seconded the motion. Mayor Hehman asked if there was any discussion and hearing none, Mayor Hehman called for a voice vote. The motion passed unanimously.



Jude S. Hehman, Mayor

Prepared By:



Amy Guenther, City Clerk/Treasurer