

**CITY OF FORT MITCHELL, KENTUCKY  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBER  
2355 DIXIE HIGHWAY, FORT MITCHELL, KY 41017  
February 6, 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**

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

**OTHERS PRESENT**

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

**APPROVAL OF THE AGENDA**

Mayor Hehman stated that there were changes to **Resolution 2023-04 Surplus of Property** adding 2 snowplow a-frames and an ice maker and adding **2023-05 Senate Bill 50 and House Bill 50 Relating to Partisan Local Election** to the agenda. Ms. Nachazel made a motion to approve the agenda with the changes and Mr. Deatherage seconded the motion. Mayor Hehman asked if there was any discussion. Hearing none, Mayor Hehman called for a voice vote. The motion carried with all ayes.

**APPROVAL OF THE MINUTES**

Mayor Hehman asked if there were any changes to the January 9, 2023, minutes. Hearing none, Mr. Stoeckle made a motion to approve the minutes of the January 9, 2023, council meeting and Ms. Boerger seconded the motion. Mayor Hehman asked if there was any discussion. Hearing none, Mayor Hehman called for a voice vote. The motion carried with all ayes.

**CITIZENS AND GUESTS**

Dave Hentz, 2079 Tantallon Dr., asked for updates on the Drawbridge and Montgomery Inn property development. Mayor Hehman stated that the City Attorney's report would provide information about this. Mayor Hehman stated that the Montgomery Inn property has been purchased by the developer. Mr. Hentz asked who owns and installed the sidewalk on Beechwood Road, across from Fort Mitchell Place. Mayor Hehman stated that the Cities of Crescent Springs and Fort Mitchell each own a portion and the City of Fort Mitchell installed the sidewalk. Sanitation District 1 owns the property where the railroad overpass is located and in time, the railroad overpass will be repaired. Mr. Hentz asked whether someone who lives outside of the City of Fort Mitchell can be considered for grand marshal of the July 4<sup>th</sup> parade. Mayor Hehman stated that the grand marshal of the parade is typically someone who has done something special for the City of Fort Mitchell and that the parade planning committee is currently considering several people. Mayor Hehman advised Mr. Hentz to speak with Joe Christofield, Programs Director, about suggestions for the parade grand marshal.

Jim Parsons is an attorney from Keating, Muething and Klekamp. Mr. Parsons is special counsel to the City of Fort Mitchell, for the Drawbridge development. Mr. Parsons gave an update on plans for the development of this property. Mr. Parsons' firm has been very actively involved with the master

development agreement for the Drawbridge site and the immediate surrounding area. Mr. Parsons stated that he should have a development agreement and full plan to present to City Council at the March meeting. The development will have mixed use commercial and residential along with the CCRC project that has been presented to council separately. This project will be an over \$200 million development. The project involves developer financing, equity and state tax incremental financing (TIF) incentives that are pledged for 20 years and local incentives over 30 years. The state incentive is in place, and City was able to submit the certified minimum capital investment of twenty million dollars to the state.

Mr. Parsons stated that there are a few amendments to the TIF ordinance tonight. The local pledge participation agreement involves Kenton County, Planning Development Services and the City of Fort Mitchell. The local TIF pledges a portion of revenues for 30 years, and this ordinance will be amending the local participation date and the activation date, so that the full 30 years can be used in the development. No monies have been spent yet from the City. This amended ordinance will replace the third-party corporation with city administration as the agency under the direction of City Council. This will eliminate an unnecessary level of bureaucracy. Mr. Parsons stated the biggest issues currently with the development agreement is determining how the state road development and sanitary sewers are impacting the area.

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

Ms. Amlung performed a first reading of **Ordinance 2023-02 Ordinance Amending Fort Mitchell Z21 Zoning Ordinance**. Mr. King stated that this ordinance provides clarity and further guidance and allows coin laundries in highway commercial zones near the US Bank building. Mr. King stated that once Council passed the resolution in December with requested zoning ordinance changes, the City filed an application with the Kenton County Planning Commission. The planning commission reviewed the application and recommended the changes. Council will vote on this at the next meeting.

Ms. Amlung performed a first reading of **Ordinance 2023-03 Ordinance Amending Buttermilk Pike/Royal Drive Development Area** to replace and substitute the Fort Mitchell Economic Development Authority as the agency of the development area with the city's administration and approve a second amendment to the local participation agreement date and the activation date of the development area. Mayor Hehman asked if there were any questions. There were no questions.

Ms. Amlung performed a first reading of **Ordinance 2023-04 Ordinance Amending Animal Control Penalties and Reporting Requirements**. Mayor Hehman stated that no specific dog breeds are listed in the ordinance and that the fines have been increased. Fort Mitchell police will notify both the pet owner and property owner. Uncontested violations will now be \$200 and contested violations will be \$400. Ms. Nachazel said the ordinance refers to equine. Ms. Amlung stated that the equine was in the original ordinance and this part was not amended. Mr. Pohlgeers asked if the rental property owner bear any liability after notification? Mr. King stated they do not unless the insurance carrier dropped them. Mr. Dietrich asked if the intent of this ordinance was to penalize repeat offenders or first time offenders. The third notification in the prior ordinance was higher than \$200. Mr. King stated that the intent was to penalize the first offense and notification will be made. Ms. Boerger stated that repeat nuisances can result in penalties. Ms. Amlung stated that the nuisance order does attach itself to this ordinance. Mr. Dietrich stated that a first offense may not be negligence, but \$200 may not be enough for a third offense. Ms. Amlung stated that the City's fees need to be in line with surrounding cities or they can get into a little trouble. Most of the surrounding cities have adopted a \$60 fine and Ms. Amlung thinks \$200 is the largest fine that she is comfortable with. Ms. Nachazel asked if there should be equine cleanup in the ordinance. Mayor Hehman stated that the City can look at that, but that he thinks there are large properties that are allowed to have equine.

Ms. Amlung read **Resolution 2023-04 Surplus of Property**. Mayor Hehman stated that most of the property are road signs and would go to govdeals.com as we have done in the past. Mr. King stated that most of it is scrap. Mr. Deatherage made a motion to approve Resolution 2023-04 and Ms. Boerger seconded the motion. Mayor Hehman called for a voice vote. The motion was carried with all ayes.

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

- The State of Kentucky's Transportation Department has posted a schematic drawing and site plan that shows the Buttermilk Pike interchange potentially changing. That has created new discussions with the developers of the Drawbridge site since the development is required to put monies into off ramps infrastructure.
- The City Council planning session meeting is on February 27<sup>th</sup> at 5:30 p.m. This is a change from the agenda that stated 6:30 p.m.
- Mayor Hehman read **Resolution 2023-05 Senate Bill 50 and House Bill 50 Relating to Partisan Local Elections**. Mayor Hehman asked Council to support this resolution opposing Senate and House Bill 50, so that political party affiliations will be not listed for Council, Mayoral and School Board elections. Partisan politics it not necessary at the local level and other cities are adopting this resolution. Mr. Pohlgeers stated that partisan elections would cost the taxpayers money because of primaries. Mr. Deatherage likes how the council does not come with political agendas and works well together. Ms. Amlung read Resolution 2023-05. Mr. Deatherage made a motion to approve Resolution 2023-05 and Ms. Nachazel seconded the motion. Mayor Hehman called for a voice vote. The motion carried with all ayes.

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

- The City is designated as a Tree City for the second year in a row. Mr. King thanked Fort Mitchell's Tree Board for their work.
- The City Building heater will be fixed tomorrow.
- City Council members are invited to travel to Frankfort on February 16<sup>th</sup> to meet with legislators in the morning.
- KLC day in Frankfort is February 22.

#### **CITY COUNCIL COMMENTS**

- Mr. Stoeckle stated that there is a Park Board meeting at the City Building on Tuesday, February 7<sup>th</sup> at 7:00 p.m.

#### **DEPARTMENT HEAD REPORT**

##### **Programs Director, Joe Christofield**

- The opening ceremony for General Ormsby Mitchel Park will be held on Tuesday, May 2<sup>nd</sup> at 5:30 p.m. There will be a ribbon cutting and a cookout.

##### **Fire Chief, Adam Fuller**

- Chief Fuller stated that at the Northern Kentucky Firefighter's Association Awards Banquet, Jeff Groneck was awarded the Firefighter of the Year. Ashlee Kennedy was awarded the Meritorious Service Citizen for Hero's Night. Mr. Deatherage stated that Chief Fuller received the Lifetime Membership Award for his leadership.
- Six new volunteers are being onboarded and there are now seventy-two total personnel in the Fire Department.

**City Clerk/Treasurer, Amy Guenther**

- Please return financial interest forms to the auditor.
- 99.4% of 2022 taxes have been collected. Attorney letters will go out this month and liens will be placed in May for any unpaid taxes.
- Mayor Hehman stated that a tax rate comparison is in the packet and the city's tax rates are not high.

**Public Works Director, Nick Tewes**

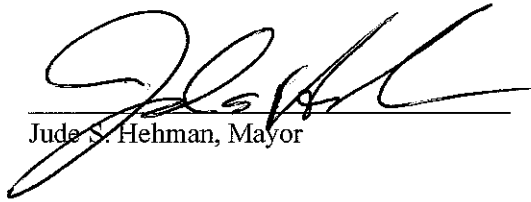
- The design for Requardt Lane reconstruction is in the final state. Orange stakes are in the ground to identify where utility poles will be relocated. Requardt Lane will be widened by one foot on each side of the street. Work will begin on the utilities in early to mid-March.

**Police Chief, Rob Nader**

- The police annual report was prepared by Captain Bill Zerhusen.
- There have been several car break-ins in a neighboring city. Chief Nader warned not to leave cars unlocked or key fobs in cars. The Fort Mitchell police have been patrolling to look for possible car break-ins.
- The police department is adding extra speed patrol on Dixie Highway.

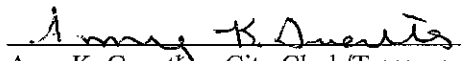
**ADJOURNMENT**

Ms. Nachazel made a motion to adjourn the City Council meeting and Mr. Deatherage seconded the motion. Mayor Hehman called for a voice vote. The motion to adjourn passed with all ayes.



Jude S. Hehman, Mayor

Prepared By:



Amy K. Guenther, City Clerk/Treasurer