

**CITY OF FORT MITCHELL, KENTUCKY  
REGULAR CITY COUNCIL MEETING  
COUNCIL CHAMBER  
2355 DIXIE HIGHWAY, FORT MITCHELL, KY 41017  
April 22, 2024, 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, Kim Nachazel, Greg Pohlgeers, and Alyson Roeding. Jerry Deatherage and Mike Stoeckle were absent. Mayor Hehman stated 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; Programs and Communication Coordinator, Joe Christofield; and Police Chief, Rob Nader.

**APPROVAL OF THE AGENDA**

Mayor Hehman asked for any proposed changes to the agenda. Mr. King noted a change in the time for the May 20<sup>th</sup> council meeting to begin at 5:30p.m. Mr. Pohlgeers made a motion to approve the agenda. Mr. Dietrich seconded the motion. After asking if there were any questions and hearing none, Mayor Hehman called for a voice vote. The motion passed unanimously.

**APPROVAL OF THE MINUTES**

Mayor Hehman stated that there are two sets of council meeting minutes to approve.

The first set of minutes are for the March 11, 2024, council meeting. Ms. Boerger made a motion to approve the March 11, 2024, council meeting minutes. Dr. Roeding seconded the motion. Mayor Hehman asked if there were any questions. Hearing none, Mayor Hehman called for a voice vote. The motion passed unanimously.

The second set of minutes are from the April 10, 2024, special meeting. Mr. Pohlgeers made a motion to approve the April 10, 2024, minutes. Mr. Dietrich seconded the motion. Mayor Hehman asked if there were any questions and called for a voice vote. The motion passed unanimously.

**CITIZENS AND GUESTS**

No guests requested to speak.

**RECOGNITION OF POLICE SERVICE DOG TONY**

Mayor Hehman shared that a resolution will be presented recognizing Police Service Dog Tony for his service to the City of Fort Mitchell. Mayor Hehman explained to those present the significance and recognition of a final call to police and firefighters on their final day of service.

Ms. Amlung read **Resolution 2024-05 Recognition of Police Service Dog Tony**. Mayor Hehman shared how Tony became the city's first K-9 officer in response to the idea presented by Officer Shane Best, who raised the donations to support the K-9. During Tony's service with the city, K-9 Officer Tony supported other localities. Mr. Pohlgeers made a motion to approve Resolution 2024-05. Ms. Boerger seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

Officer Best, Tony's handler, presented Mayor Hehman with a wood plaque depicting the flag and picture of Tony. An audio recording of the final call and recognition for Tony was played. Beechwood Media Arts teacher, Dawn Norris, and student, Annabelle Fedders, presented designs made by students depicting pictures of Tony and Officer Best, to thank them for their service.

Mayor Hehman clarified that Resolution 2024-05 gives him the authorization to declare that Tony will be given to Officer Best, to permanently live in his loving home.

#### **PRESENTATION OF EASTERSEALS REDWOOD CDBG PROJECT**

Aaron Wagner with Easterseals Redwood was introduced to talk about the 1.25 million dollar project completed with the assistance of a federal grant passed through the city and the significant cash investment by Easterseals Redwood. Mr. Wagner explained the history of Easterseals Redwood and the services they provide, which includes 11 locations area-wide and 460 employees, with Fort Mitchell being their primary location for disability services. Mr. Wagner presented pictures of the renovations and expressed his thanks to the City of Fort Mitchell. The renovation improved adult client safety by removing conditions which accelerated the spread of COVID and other communicable diseases and compromised effective social distancing protocols. Mayor Hehman shared how Redwood helped his brother.

#### **PDS MEDICAL CANNABIS STATE LAW UPDATE**

Sharmili Reddy, Executive Director of Planning and Development Services of Kenton County was introduced to give an overview of the state medical cannabis legislation passed last year. Under the state law, local governments should take some action prior to January 1, 2025, to influence how medical cannabis businesses will be regulated in their communities including zoning regulations. Ordinances cannot be less restrictive than the state statute or administrative regulations. Local governments cannot affect the lawful use of the product by cardholders in their jurisdictions. In accordance with KRS 218B.130, legislative bodies have three options in regard to medical cannabis businesses. First, Council may vote to allow cannabis businesses in the city and adopt regulations for those businesses. Second, the Council may adopt an ordinance prohibiting cannabis businesses in Fort Mitchell. Residents have the option to submit a public petition that could go to the election ballot. Third, is to enact a resolution to put the issue on the ballot. Mr. King asked what would happen if the City did not do anything? Ms. Reddy stated that cannabis businesses would be permitted. The city can assess a fee to compensate for any additional corrective impact caused by the approval of the operations. Ms. Reddy outlined the different types of cannabis businesses, zoning requirements, and license controls dictated by KRS 218B, including a 1,000 foot buffer requirement from schools and child daycares. PDS will do an analysis of areas in Fort Mitchell where dispensaries and safety compliance facilities could be permitted per the zoning requirements.

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

Ms. Amlung read **Resolution 2024-06 Surplus of Real Property**. Mayor Hehman asked if there were any questions. Ms. Boerger made a motion to approve Resolution 2024-06. Dr. Roeding seconded the motion. Mr. King explained that unusable land was swapped for land to have access for the new public works building. Ms. Amlung noted that needed access for the public works building combined with the right of first negotiation supported the swap. Mayor Hehman called for a voice vote. The motion passed unanimously.

Ms. Amlung read **Municipal Order 2024-04 Appointment of Shad Sletto to the Board of Adjustments**. Mayor Hehman explained that Joe Hayes has stepped down, and Mr. Sletto was recommended by Board of Adjustments chairman, Don Stegman. Mayor Hehman asked if there were any questions. Ms. Nachazel made a motion to approve Municipal Order 2024-04. Dr. Roeding seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

## **MAYOR'S REPORT**

Mayor Hehman mentioned a petition initiated by a Fort Mitchell resident regarding safety at the intersection of Highland Avenue and Dixie Highway. Mayor Hehman stated that he will be supportive of the petition by providing a letter to the state indicating that this is a safety emergency.

## **CITY ADMINISTRATOR'S REPORT**

Mr. King reported that approximately \$690,000 was budgeted for Cherrywood project, and bids, including alternates, came in over budget at approximately \$836,000. There are funds unspent from Requardt project that will allow budget authority to move forward with the project. The budget will not need to be amended now but will be at the end of the year to reflect that. Mr. King asked if council had any objections. No objections voiced.

## **CITY COUNCIL COMMENTS**

Mr. Dietrich asked about timing of an answer on the SAFER Grant application mentioned at a previous council meeting. The budget will reflect the expenses but will not reflect the revenue. The City will not know if the grant will be awarded to the City until July-September 2024.

Mr. Pohlgeers thanked Chief Nader for his responsiveness in some recent conversations they had regarding comments and communications from residents.

## **DEPARTMENT HEADS REPORT**

### **City Clerk/Treasurer, Amy Guenther**

- Adams Law sent out legal letters for delinquent property taxes. Liens will be placed in the next month. Delinquent Fort Mitchell real property tax amounts due for all year's total \$10,626 for houses and business property plus \$4,695 for mobile homes.
- Expenses are under budget and revenues are coming in at budget.

### **Fire Chief, Dave Slusser**

- The SAFER Grant application was submitted on April 9, 2024. Award time for that is between July and September. The grant is for continuation of the recruitment and retention program.
- Upcoming community CPR classes are scheduled for May 1, 2024, from 6:00 p.m. to 9:00 p.m. and May 18, 2024, from 9:00 a.m. to 12:00 p.m.
- Offers have been extended to five high school students for internships that start in August. Four of the students are from Beechwood and one is from Ignite.

### **Public Works Director, Nick Tewes**

- The public works building construction is moving along well and on target for completion by early May.
- A Meeting will be scheduled with Cherrywood residents regarding the upcoming project and get input on the sidewalk. Once the contract is signed, there will be a meeting with Riegler, and residents will be notified of when the project will start.
- The homerun fence was installed at the park. Mr. Tewes is pleased with the results.
- New Public Works crew member, Jeff Lyon, started today, April 22, 2024. Jeff's time will be dedicated to the park from March through October and some in the winter.
- Mayor Hehman commented that last Wednesday evening he was at the park and counted 120 people there.

**Programs and Communication Coordinator, Joe Christofield**


- 100 residents participated in the yard sale on April 13, 2024.
- The large item pickup day on April 20, 2024 was successful.
- The Tree Board passed out over 1,000 trees for Arbor Day on April 20, 2024.
- On Saturday, April 27, 2024, the Document Destruction event will be held from 9:00 a.m. to 12:00 p.m. in the city parking lot.
- Ms. Nachazel shared that on the day of the yard sale, some of the tighter streets in the city experienced traffic issues resulting in driveways being blocked and asked if consideration could be given to this to prevent issues next year.
- Mr. Pohlgeers requested a social media post with instructions for residents on how to report ordinance violations.

**Police Chief, Rob Nader**

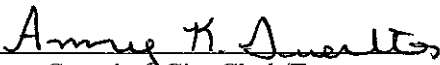
- Chief Nader expressed appreciation for recognition of Tony's retirement.
- Former officer, Deborah Herbst, recently passed away. She served from 1978-1991.
- In addressing issues with blocked driveways during the yard sale, there is a time delay in getting cars towed that are in violation. For next year, Chief Nader suggested some temporary signs could be posted in front of driveways.
- The golf outing benefiting DCCH now has 25 teams slotted. Prizes are still needed.

**ADJOURNMENT**

Mr. Pohlgeers made a motion to adjourn the City Council meeting at approximately 7:36 p.m. Mr. Dietrich seconded the motion. Mayor Hehman called for a voice vote. The motion passed unanimously.

  
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Jude S. Hehman, Mayor

Prepared By:

  
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Amy Guenther, City Clerk/Treasurer