

**MINUTES OF A MEETING
OF THE BOARD OF COUNCIL OF THE
CITY OF FORT THOMAS,
CAMPBELL COUNTY, KENTUCKY, ON
MONDAY, DECEMBER 16, 2019**

Mayor Eric Haas called the meeting of council to order at 7:00 p.m. on Monday, December 16, 2019 in the Council Chambers of the city building. City Clerk, Melissa Beckett called the roll and the following council members were present: Ken Bowman, Mark Collier, Jeff Bezold, Roger Peterman and Adam Blau. Absent: David Cameron. Staff members in attendance included: City Administrator Ron Dill, Assistant City Administrator/Finance Director Joe Ewald, City Clerk Melissa Beckett, Fire Chief Mark Bailey, Acting Police Chief Brent Moening and City Attorney Jann Seidenfaden.

Mayor Eric Haas lead the Pledge of Allegiance to the flag.

Minutes

The minutes from the November 18, 2019 meeting were presented to council for consideration. A motion was made by Mr. Collier and seconded by Mr. Bowman to approve the minutes as written. Upon call of the roll, the following members voted “aye”: Mr. Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman and Mr. Blau. Voting “no” none. The motion passed by unanimous vote.

Visitors and Communications

Badge Pinning for Captain Rick Daugherty and Lieutenant Kyle Kaufman: Chief Mark Bailey introduced Rick Daugherty who has been promoted to Fire Captain for Fort Thomas and Kyle Kaufman who has been promoted to Lieutenant.

Presentation by Rick Griewe regarding the development at One Highland: Mr. Rick Griewe made a presentation regarding the new development that will be located at the corner of Highland Avenue and N. Ft. Thomas Avenue.

Melanie Powers of 13 Pearson Street addressed council. Ms. Powers is the HOA president for Pearson Street. Ms. Powers indicated that since the work that the contractor for NKY Water performed, JNT Excavation, on Pearson Street in relation to the Alexander Circle homes, they have had water damage to five of the six homes basements. Ms. Powers noted that the residents were promised by the NKY Water District that there would be no damage to the homes. The residents now face thousands of dollars of fees relating to the damage. They are asking for the city’s assistance in this matter and are open for suggestions. Ron Dill reviewed the background on this project. This is a NKY Water Dist. Project related to the Alexander Circle homes. Mr. Dill spoke to the NKY Water Dist. and they indicated that they are still in negotiations with the homeowners but did not offer a recommendation to the city. Discussion continued regarding this matter. Mayor Haas thanked Ms. Powers for the information and noted that the city will try to help anyway we can. Mr. Peterman noted that the city should get specifications from the NKY Water District to find out where they are in the process and then we may be able to come up with ideas for a solution.

Mayor Haas noted that the planning process the city went through won an award from the Cincinnati Design Awards. The city was very grateful for the residents involvement in the process.

Reports of Officers

Fire Department Monthly Report for November 2019: Chief Mark Bailey presented his monthly report for November to council. A motion was made by Mr. Bowman and seconded by Mr. Collier receive and file the fire department's monthly report. Upon call of the roll, the following members voted "aye": Mr. Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Police Department Monthly Report for November 2019: Acting Chief Brent Moening presented the monthly report for November to council. A motion was made by Mr. Bowman and seconded by Mr. Bezold receive and file the police department's monthly report. Upon call of the roll, the following members voted "aye": Mr. Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

City Administrators Report

Street Resurfacing Program: Public street inspection for the 2019 program was performed on Wednesday December 11th at 4:30 pm. The Public Works Committee of Council inspected the streets with the city staff, engineer and contractor on-site.

There were three residents that approached the contingent during inspection. The residents were on Sherman Ave. with one issue being irregular surface finish in front of their house and the other residents stated a concern with their downspout discharge being partially blocked. Additionally, there was a surface issue identified on Grant Street. Options for addressing these issues were identified and authorized for repair. Based on this inspection, staff was directed to compile final costs and prepare apportionment ordinances necessary for assessments.

Community Plan Implementation Committee Meetings: The city has continued work at a staff level with Chris Manning to explore initiatives and create design details for various projects and initiatives. A lot of this effort has been brought forth for discussion/consideration in various committees. As we enter the new calendar year, our consultant and staff will be providing an overview of progress to date. This overview will be a precursor to engaging the Finance Committee to revenue and funding options. A summary report & presentation will be on the January 6th council meeting agenda.

Stables Building: The city has had recent contact with the US Army & Corp of Engineers regarding acquisition of the Stables Building. There has been some movement based on our previous conversations in as they have commissioned several studies that are required in advance of transfer of Federal property. These studies are nearing completion and will allow for discussion of transfer details and possible timelines.

New Business

Consideration of Employee Health Plan: The city is completing our first year of a self-funded option for providing the health care portion of the plan. We are working with Sherrill Morgan to develop and manage the plan. Although first year cannot be a complete predictor for plan use as first quarter claims are often carry-over from the previous plan year, you can get some indicators of plan use. These indicators are generally favorable including employee education on best use of the plan. The plan design is recommended to stay generally the same to allow for comparative analysis through next year. The estimated overall cost increase is 7.1% for both the city and employees. This is below budgeted estimates and in keeping with previous annual increases without plan reduction or change of insurance provider. The Employee Insurance Committee required under our working agreements has approved the plan recommended for approval. A motion was made by Mr. Bezold and seconded by Mr. Peterman to approve the employee health plan. Upon call of the roll, the following members voted "aye": Mr.

Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman, and Mr. Blau. Voting “no”: none. The motion passed by a unanimous vote.

Consideration of Street Improvement Policy: The Public Works Committee of Council has convened on several occasions to review the policy of assessments and funding options for the city’s street improvement plan. After much consideration, staff was directed to create a written policy to detail all aspects of the program including process, costs, assessments and revenues. The draft policy includes the details that have traditionally been part of the city’s practice regarding its annual street program and also incorporates recommendations from the Public Works Committee. The substantive changes from committee include the removal of certain cost items from the property owner assessments that represents an approximate 10% reduction in assessments, a provision for a no-interest payment schedule for certain qualifying properties and a recommendation to review the Duke Energy franchise agreement to increase revenues to the Municipal Road Aid budget. A motion was made by Mr. Bowman and seconded by Mr. Blau to approve the proposed street improvement policy. Upon call of the roll, the following members voted “aye”: Mr. Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman, and Mr. Blau. Voting “no”: none. The motion passed by a unanimous vote.

Consideration of Addendum to Griewe (One Highland) Development Agreement: The project is proceeding generally on schedule as the developer has almost completed the demolition on site and has completed the approval process for the IRB Bond issuance and financing for the project. The item in the addendum only deals with the timing of the \$1.6 million payment due from the City for purchase of the parcel supporting the parking lot. This provision requires the payment to be made no later than December 31, 2019. The developer has agreed to defer this payment as work toward construction initiation, platting of easements, etc. have progressed and is therefore requesting language in the agreement to be modified to change the payment date under Section 3 a. to read “The City shall purchase approximately .8 acres of the Property for a public parking lot described in Exhibit B subject to a perpetual easement for a below ground detention vault below the parking lot. The City agrees to a purchase price of \$1,600,000.00 that will be paid to Developer on June 30, 2020.”

This amendment does not change any other issues related to the project and is in fact favorable to the city because it defers our obligation for payment to a later date. Staff recommends approval. A motion was made by Mr. Peterman and seconded by Mr. Bezold to approve the addendum to the One Highland Development Agreement. Upon call of the roll, the following members voted “aye”: Mr. Bowman, Mr. Bezold, and Mr. Peterman. Abstaining from the vote was Mr. Collier and Mr. Blau. The motion passed.

COMMITTEE REPORTS:

Report From Public Works Committee: In response to a previous matter regarding speeding on Waterworks Road (between Memorial Parkway & N. Ft. Thomas Ave) staff has worked with the city engineer to evaluate options for traffic calming in this area. Several options were considered to discourage vehicles entering from Memorial Parkway from bypassing the 90 degree entry/centerline and allowing for increased speeding to occur. It is the recommendation from committee to authorize placement of flexible bollards to be installed over a new centerline on Waterworks at the intersection with Memorial Parkway. Parking may be adjusted to create appropriate drive lane widths in this intersection and the bollards will be reflective. Mr. Peterman questioned whether a car would be able to easily turn into Waterworks from Memorial Parkway. Mr. Dill noted that he believes that lane is plenty wide for a car to turn.

Finance Committee Report of Disbursements: The Finance Committee presented its Report of Disbursements and recommended the payment of warrants numbered 6694-6839 for the period of November 14 - December 13, 2019 was presented to council for consideration. A motion was made by

Mr. Bowman and seconded by Mr. Bezold to concur in the recommendation of the Finance Committee. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Bezold, Mr. Peterman, and Mr. Blau. Voting “no” none. The motion passed by unanimous vote.

Ordinances, Resolutions, and Orders

Ordinance No O-18-2019: First Reading of an Ordinance establishing terms for prohibiting certain discriminatory practices within the City. Referred to as the “Fairness” ordinance.

*Ordinances O-19-2019 thru O-21-2019 listed below are on the agenda for first reading and are related to a request for a zone change of property at 14 N Grand Ave that currently houses Fessler/Schneider/Grimme Law Offices within a Professional Office Zone. The request is for this property to be included within the General Commercial zoning classification. The matter was reviewed by the Ft. Thomas Planning Commission with a development plan that proposes a restaurant use on the first floor and residential (existing) on the second floor. There are two associated text amendments that relate to this proposal that would permit the existing residential uses to remain on the second floor and would permit outdoor seating within a general commercial zone..

Ordinance No O-19-2019: First Reading of an Ordinance amending the Official Zoning Ordinance, Section 10.12 (A) to add “including outdoor seating” AND “Residential uses (as regulated herein)” as a permitted uses in the General Commercial Zone.

Ordinance No O-20-2019: First Reading of an Ordinance amending the Official Zoning Ordinance, Section 10.12E to add to the list of OTHER DEVELOPMENT CONTROLS “Residential uses shall be restricted to floors other than ground floor. Residential floor space shall not exceed a ratio of 2:1 of other permitted use(s) in the structure.

Ordinance No. O-21-2019: First Reading of an Ordinance amending the zoning classification for property at 14 N Grand Ave from Professional Office (PO) to General Commercial (GC)

Executive Order EO-14-2019: An Executive Order appointing Rick Daugherty to the position of Fire Captain

Executive Order EO-15-2019: An Executive Order appointing Kyle Kaufman to the position of Fire Lieutenant.

Executive Order EO-16-2019: An Executive Order appointing Roger Peterman as the OKI representative for Fort Thomas

With no further business to come before council, a motion was made by Mr. Peterman and seconded by Mr. Bezold to adjourn.

APPROVED:

Eric Haas, Mayor

ATTEST:

Melissa K. Beckett, City Clerk