

**MINUTES OF A MEETING
OF THE BOARD OF COUNCIL OF THE
CITY OF FORT THOMAS,
CAMPBELL COUNTY, KENTUCKY, ON
TUESDAY, FEBRUARY 18, 2020**

Mr. Dill advised council that due to the absence of Mayor Haas, a Mayor Pro-tem must be appointed. A motion was made by Mr. Collier and seconded by Mr. Bezold to appoint Roger Peterman as Mayor Pro-Tem. Mayor Pro-Tem Peterman called the meeting of council to order at 7:00 p.m. on Tuesday, February 18, 2020. City Clerk, Melissa Beckett called the roll and the following council members were present: David Cameron, Ken Bowman, Mark Collier, Jeff Bezold, Roger Peterman and Adam Blau. Staff members in attendance included: City Administrative Officer Ron Dill, City Clerk Melissa Beckett, Assistant City Administrator/Finance Director Joe Ewald, Fire Chief Mark Bailey, and Police Chief Brent Moening, and City Attorney Jann Seidenfaden.

Mayor Pro-tem Peterman led the Pledge of Allegiance to the flag.

Minutes

The minutes from the January 7, 2020 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. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold and Mr. Blau. Voting “no” none. The motion passed by unanimous vote. The minutes of the January 20, 2020 meeting of council and the school board were presented to council for consideration. A motion was made by Mr. Bowman and seconded by Mr. Collier to approve the minutes as written. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold and Mr. Blau. Voting “no” none. The motion passed by unanimous vote.

Visitors and Communications

Wyatt Richards of 36 Klainecrest Avenue addressed council. Wyatt is a senior at Highlands High School and is asking council to consider construction of a skate park in Highland Hills Park. Mr. Richards noted many positive facts regarding skate parks. Ron Dill indicated that there is a scheduled meeting next Wednesday at 6:30 p.m. at the Mess Hall with the Recreation Committee and this would be a great forum to address this request, and encouraged residents to attend the meeting.

Amy Kessinger of 147 Chesapeake Avenue addressed council. Mrs. Kessinger is asking council for help regarding speeding on Chesapeake during school bus hours. Ron Dill noted that the city has been involved with speed studies and enforcement in the area. The new subdivision and the proximity to the Newport Pavilion have changed the dynamic of traffic extensively. The city engineer has evaluated the options that we have available. The recommendation from the engineer is to install permanent speed signage, and other permanent possibilities will be considered including a cost estimate for sidewalk installation in that area. The most likely source for funding for sidewalks is the Safe Routes to School grant and this is opening up in this calendar year. The city is also working with the school district regarding the bus. Brent Moening noted that the Department of Transportation are installing cameras in all of the school buses that will be able to record if a car passes a stopped bus. The driver will be able to be sited once the license plate is run. The police are also looking into having an officer on the bus at certain times. Education for drivers will also play a roll in this initiative. Mrs. Kessinger also asked for signs designating a bus stop but Ron Dill indicated that there is not really a “bus stop” in that area but it

could be considered. Council thanked Mrs. Kessinger for reaching out and making them aware of what is happening on Chesapeake and we appreciate their patience on this matter.

Trista and Jerad Williamson of 186 Holiday Lane addressed council. Their son was hit by a car last week at the intersection of Grand Avenue and Summit Avenue. The car was turning left onto Grand and their son was crossing at the same time. Mrs Williamson noted that they have been asking for the intersection to be addressed for at least four years. Mr. Williamson thought that the crosswalk should flash no crossing when the light is green to turn. He would like to see a crossing guard at the intersection or change the light. Ron Dill commented that it is a state route so the city doesn't have jurisdiction over that location. The city has been in contact with the Kentucky Department of Transportation regarding some of the issues in that area and they did an enhanced crosswalk treatment a few years ago. He has recently asked about doing a four way red light when the crosswalk is activated. Mr. Dill urged the community to contact the Kentucky Department of Transportation directly and request the same things that the city is requesting. Concerning a crossing guard, it is extremely difficult to find people that want to do this job. The city is currently looking for a crossing guard for St. Thomas School. The city is also asking the state to consider a road diet in making Grand Avenue two lanes instead of four lanes. This is being reviewed by the state. In the past, this option has been met with a lot of resistance by the property owners on Grand Ave.

Joe Schwerling of Summit and Mayfield addressed council. Mr. Schwerling indicated that years ago he was against the road diet on Grand because of all of the disadvantages. He noted that the intersection at Summit and Grand Ave. is at a strange angle and if that was fixed it would help. He also suggested considering adding a blinking yellow light at the crosswalk. He also noticed that the timing of the lights is very short and people seem to speed up to get out of Summit. Joe also spoke on Tanks proposal to eliminate the bus service in Fort Thomas. He has sent a letter to Tank and city. Mr. Cameron noted that everyone here is very supportive of maintaining the bus service in Fort Thomas. Mr. Cameron indicated that we have a great concerted effort on behalf of the city and we appreciate his comments. Mr. Peterman asked Mr. Schwerling to leave the information he had with him regarding Tank with staff for review.

Matt Butler with Vision Zero NKY addressed council. He thanked Mr. Collier for inviting him to speak at the meeting. The purpose of Vision Zero is to make our streets safe for all users to prevent accidents and fatalities. Mr. Butler discussed statistics of accidents, injuries and deaths in Fort Thomas. The majority of these have been children. Vision Zero NKY's goal is to organize neighborhoods and make positive change. Mr. Bowman asked if they have had any other successful collaboration with other cities. Mr. Butler indicated that they have worked with Park Hills, Covington, Newport and are now working with Bellevue on issues with Fairfield Avenue due to the increase in businesses and traffic. Mr. Collier asked how Vision Zero is funded. Mr. Butler noted that he founded Signature Hardware and after selling the business, he and his wife were very fortunate to be able to give back to the community and have been able to self fund this venture through their foundation called The Devou Good Foundation. They are currently sponsoring a contest to allow groups of citizens to develop ideas for traffic safety in their communities. The groups could win up to \$50,000 for their projects. If they are awarded, Vision Zero asked that city council adopt a resolution to show their interest in reaching the goal.

Reports of Officers

Fire Department Monthly Report for December 2019 and January 2020: Chief Mark Bailey presented his reports for December 2019 and January 2020 to council. A motion was made by Mr. Bowman and seconded by Mr. Bezold to approve the monthly reports from December and January. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no": none. The motion passed by a unanimous vote.

Police Department Monthly Report for December 2019 and January 2020: Chief Brent Moening presented his reports for December 2019 and January 2020 to council. A motion was made by Mr. Bowman and seconded by Mr. Bezold to approve the monthly reports from December and January. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting “no”: none. The motion passed by a unanimous vote.

City Administrators Report:

Shelter 3 Project: The Shelter 3 project in Tower Park is scheduled to begin next Thursday. The public works crew has done a lot of prep work on this project. The bid opening for the asphalt work is scheduled for Friday. This includes all asphalt work to be done in Tower Park.

Highland Park Fill: The fill process has started in Highland Park. The city has worked with the two adjoining property owners to obtain temporary easements for the project.

Committee Meetings: Public meeting for the Recreation Committee will be held on Wednesday at 6:30 at the Mess Hall. The 2020 Street Resurfacing public hearing will be held on March 24th at 7:00 p.m.

Alexander Circle Update: The contractor expects the first move in date to be in April, weather dependent, with clean up.

Report of Committees

Report from the Law, Labor, and License Committee: David Cameron reported that the Law, Labor, and License Committee met prior to the council meeting to discuss the time of liquor sales within the city on Sunday. The committee recommendation was to direct staff to draft an ordinance to change the time of liquor sales in the city on Sunday from 11 a.m. to 9 a.m. Another topic that was discussed was the liquor license fees. Currently the city charges \$1,000 annually for each license holder in the city for retail sales. The recommendation is to reduce this fee to \$830 which is the state recommended fee and follows what other neighboring communities charge.

Report from the Public Works Committee: The Public Works Committee of Council met on January 24, 2020 to review and consider options for the 2020 Capital Improvement Program. Mr. Bowman read the report from the Public Works Committee:

Honorable Mayor and Board of Council:

We the undersigned members of the Public Works Committee of Council hereby report that we have met with city staff on Tuesday, January 21, 2020 to review and develop the city’s 2020 Capital Improvement Program. While there were many streets considered for improvement, limited available resources restricted the number of streets that could be included in each year’s recommended program.

The recommended 2020 street improvement program includes the following streets:

1. Beechwood Avenue
2. Crowell Avenue
3. Greenwood Avenue
4. Holly Lane
5. Mayfield Avenue
6. Mayfield/Highland Park Drive
7. Military Parkway

- 8. Robson Avenue
- 9. N. Ft Thomas Avenue (Covert Run Pike to Corp. Line) -2019 carryover

The streets in this program would be subject to a special assessment to abutting property owners on a 60%-city, 40%-property owner cost-sharing basis for Mayfield Avenue because it is the primary entrance to a city park (N Ft Thomas Ave /arterial street), other streets in the program would be on a 50%-50% cost share basis. Revenue from special assessments to abutting property owners is estimated to generate approximately \$150,000.

The Capital Program continues implementation of the City’s adopted sidewalk replacement program with the replacement of deteriorated sidewalks and driveway aprons along portions of the recommended streets and other selected streets within the program at an estimated cost of \$55,000.

The Capital Program also includes funds estimated at \$76,916 for resurfacing the access drive within Highland Park and associated parking throughout the park that is not subject to any assessments.

The Capital Program Budget also reserves adequate contingency funds for emergency repairs to other city-owned infrastructure (storm inlets, turnabouts, etc.) and miscellaneous expenses (full depth repair).

The total estimated cost for the 2019 Capital Improvement Program and related fund activity is \$622,179 apportioned as follows:

- Roadway Improvements \$497,179
- Sidewalks/Driveways/curb \$ 55,000
- Contingency / Miscellaneous \$ 50,000
- Engineering – CT Consultants \$ 20,000

The Public Works Committee of Council recommends that the Board of Council adopt and approve this committee report and direct staff to proceed with additional planning and preparation for the 2020 Capital Improvement Program.

Respectfully Submitted:

Ken Bowman, Chairman

Jeff Bezold, member

Adam Blau, member

Ron Dill added that there is a portion of Military Parkway from S. Ft. Thomas Avenue, headed down the street several feet that is not owned by the city. The NKY Water District owns this and are scheduled to dredge the reservoir that is closest to Military Parkway this spring. The material will be trucked out over the portion of street and the timing of the resurfacing may have to be coordinated after that work is completed. The city is working with NKY Water District to include this portion of street in the program and include them as part of the assessment.

Mr. Collier asked about the evaluation of the assessments to property owners. Ron Dill updated that this was modified a couple of months ago and was presented from the Public Works Committee. The city

took out the associated cost assessed to property owner for anything other than materials. This is an approximate 10% and 12% reduction in cost. This change was part of the revised policy adopted by council at their December 16, 2019 meeting.

A motion was made by Mr. Bowman and seconded by Mr. Bezold to direct staff to proceed with the 2020 Street Resurfacing program. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Peterman, Mr. Bezold and Mr. Blau. Voting “no”: Mr. Collier. The motion passed by a vote of 5-1.

Old Business

Salary Structure for Mayor and Council: A Mr. Bezold made a motion and Mr. Bowman seconded to refer the review of the salary structure of the mayor and council to the finance committee of council for review. This must be reviewed and approved before May 1st of a council election year. This will be to evaluate the current salaries which are \$600 per year for the mayor and \$72.00 per councilmember per year. Mr. Cameron noted that he would vote to make the wages zero and it was noted by other council members that they would be in agreement to eliminate the wage as well but it will be discussed by the finance committee. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting “no” none. The motion passed by unanimous vote.

New Business

Consideration of vacating right of way located off Huntman Lane: Tim Reynolds, representing Fort Thomas Partners LLC, has filed a request to consider release/vacating of a right of way located off Huntman Lane. This right of way is a result of the reconstruction of Huntman Lane by KDOT as part of the construction of I-471 in the late 1970’s. It was typical for KDOT to extend the right of way to include potential storm sewer outfall swales. As this area was developed, the grading and placement of utilities did not require utilization of this area of the right of way for any public improvements. The storm collection on that portion of property can be relocated as part of the grading/development of the parcel, the cost will be paid by the developer. The city’s affirmative declaration of “excess right of way” would allow the abutting property owner to pursue gaining approval from KDOT for their release of the right of way. A motion was made by Mr. Collier and seconded by Mr. Bezold to approve the vacating of the right of way off of Huntman Lane with the provision that the issue with the State of Kentucky be resolved. Upon call of the roll, the following members voted “aye”: Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting “no” none. The motion passed by unanimous vote.

Consideration of vacating right of way – Berkley Lane: The city received a letter from Josh McIntosh dated 2/5/20 on behalf of his parents at 714 N Ft Thomas Avenue and the other abutting property owner at 706 N. Ft. Thomas Avenue (Lightner) requesting consideration for closure of Berkeley Lane between Memorial Pkwy. and N. Ft. Thomas Ave. The right of way currently serves as a pedestrian connection near the Middle School and also has a paved area that is utilized as an access drive to these property owners. This request has previously been brought to council on several occasions for consideration of closure (1987, 1996, & 2003). On each occasion this request was denied citing the need to maintain a connection and potential future option for formal access in the area around Highlands High School and Highlands Middle School. It was the consensus of council to request more information from the owners on what they are looking to use this property for if vacated. No action was required at this time.

Consideration of Bids for Exhaust System - Fire Department: The City has received a grant award not to exceed \$56,000 from *Assistance to Firefighters Grant* for the installation of an exhaust system in the garage of the Fire Department. This system will provide direct venting from the exhaust of vehicles as they enter and leave the garage bays. The city’s match obligation for this grant award is 5% of the total cost.

The Fire Department submitted a memo dated 2/14/2020 that provides a comparison of the two bids by cost and analysis of the quoted product. They have recommended the higher bid with the justification being the ease of application as the basis for acceptance of the higher bid. Both bids are below the \$56,000 award, however, the city's 5% match would increase by \$263.70 with acceptance of the higher bid. City procurement policy typically requires acceptance of the lowest and best bid.

A motion was made by Mr. Bezold and seconded by Mr. Blau to accept the bid from Plymovent in the amount of \$54,995.00 for the fire department exhaust system. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Finance Committee Report of Disbursements: The Finance Committee presented its Report of Disbursements and recommended the payment of warrants numbered 6924-7113 for the period of **January 4 – February 7, 2020** was presented to council for consideration. A motion was made by Mr. Bowman and seconded by Mr. Collier 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. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Ordinances, Resolutions, and Orders

Ordinance O-01-2020: An ordinance establishing the apportionment for the 2019 Street Resurfacing program was presented to council for consideration. A motion was made by Mr. Bowman and seconded by Mr. Collier to approve ordinance O-01-2020. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Ordinance O-02-2020: An Ordinance accepting a bid for Franchise Agreement with MCImetro for use of right of way for transmission and distribution of communications was presented to council for a first reading. This ordinance will be laid over to the next regular meeting of council.

Resolution R-01-2020: A resolution authorizing the mayor to make application to the Kentucky Office of Homeland Security for a police body armor grant was presented to council. A motion was made by Mr. Bowman and seconded by Mr. Bezold to approve resolution R-01-2020. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Resolution R-02-2020: A resolution authorizing the mayor to sign related documents to bond issuance and revised PILOT agreement for the One Highland Project was presented to council. A motion was made by Mr. Bowman and seconded by Mr. Bezold to approve resolution R-02-2020. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Municipal Order MO-01-2020: A municipal order appointing Brent Moening to the position of Police Chief was presented to council. A motion was made by Mr. Collier and seconded by Mr. Bowman to approve municipal order MO-01-2020. Upon call of the roll, the following members voted "aye": Mr. Cameron, Mr. Bowman, Mr. Collier, Mr. Peterman, Mr. Bezold, and Mr. Blau. Voting "no" none. The motion passed by unanimous vote.

Executive Order EO-03-2020: An executive order re-appointing Tracy Davis as a member of the Renaissance Board for a two year term was presented to council with no action necessary.

Executive Order EO-04-2020: An executive order re-appointing Brian Sand as a member of the Renaissance Board for a two year term was presented to council with no action necessary.

Executive Order EO-05-2020: An executive order re-appointing Heidi Neltner as a member of the Renaissance Board for a two year term was presented to council with no action necessary.

Executive Order EO-06-2020: An executive order appointing Terry Webster as the city's fairness officer for a term of three years was presented to council with no action necessary.

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

APPROVED:

Eric Haas, Mayor

ATTEST:

Melissa K. Beckett, City Clerk