

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF COUNCIL OF THE
CITY OF FORT THOMAS,
CAMPBELL COUNTY, KENTUCKY, ON
TUESDAY, FEBRUARY 16, 2021
VIA ZOOM TELECONFERENCE**

Mayor Eric Haas called the meeting of council to order at 7:00 p.m. on Tuesday, February 16, 2021. City Clerk, Melissa Beckett called the roll and the following council members were present: Ben Pendery, Ken Bowman, Lisa Kelly, Jeff Bezold, Adam Blau and Connie Grubbs. Staff members in attendance included: City Administrative Officer Ron Dill, City Clerk Melissa Beckett, Assistant City Administrator/Finance Director Joe Ewald, Fire Chief Chris Amon, and Police Chief Casey Kilgore.

6:15 Public Hearing: A public hearing was called to order on February 16, 2021. The purpose of the hearing was to obtain views on housing and community development needs, review proposed activities, review the proposed application, and solicit public comments on a Community Development Block Grant Coronavirus Response Program. The City of Fort Thomas intends to apply for assistance for emergency utility relief payments. Lisa Cooper from the NKADD was present for the public hearing and was also present for the council meeting to update council members on the grant details. If the application is approved, the resident would be directed to the Community Action Commission who would pay the utility bill directly. She encouraged the city to apply for the entire \$200K so there is enough funding for residents who may be behind on their utility bills. Ms. Grubbs questioned if the grant money is not utilized, what would happen to it. Ms. Cooper noted that the funds will go back to the state to be allocated by another city or county. The resolution for the program was read for the record.

Resolution No. R-02-2021: A Resolution was presented to council that will authorize the Mayor to sign and file a Community Development Block-CV Grant Application in the amount of \$200,000 to provide utility relief funding to residents. A motion was made by Mr. Bowman and seconded by Ms. Grubbs to approve resolution R-02-2021. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Minutes

The minutes from the January 21, 2020 meeting was presented to council for consideration. A motion was made by Ms. Grubbs and seconded by Mr. Bowman to approve the minutes as written. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Reports of Officers

Fire Department Monthly Report, Chief Chris Amon: Chief Amon presented his report for January to council. A motion was made by Mr. Bezold and seconded by Ms. Kelly to receive and file the monthly report for the Fire Department. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Police Department Monthly Report, Chief Casey Kilgore: Chief Kilgore presented his report for January to council. A motion was made by Mr. Bowman and seconded by Ms. Grubbs to receive and file the monthly report for the Police Department. Upon call of the roll, the following members voted “aye”:

Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

City Administrators Report:

Personnel: Mayor Haas is working toward filling the positions replacing Jann Seidenfaden – City Attorney & Debbie Buckley – Economic Development/Renaissance Coordinator for appointment at the March 15th council meeting. Jann & Debbie will continue in their respective roles until that time.

The Police & Fire departments are currently advertising for recruits. The Police Department has an existing opening and potentially several retirements forthcoming; the FD has one existing opening. The review process will likely allow offering positions in April.

City Building Update: Ron Dill updated council on the progress of the city building remodel. It is his intention to provide a monthly update on this important project. Joe Ewald loaded pictures of the current status of the building. City staff will arrange for council to tour at several points during construction and we will also be posting updates & photos on the city website so everyone can follow progress. The contractor has begun demolition of the interior spaces and we have been coordinating relocation of the utilities located behind the building that will be necessary to allow for the construction of the addition.

Committee Meeting Schedule: City staff will be scheduling several committee meetings in the next several months. The following committee meetings are scheduled or pending:

Recreation Committee – Monday, March 1 at 4:30 p.m. - Implementation update.

Law Labor License Committee – Monday, March 1 at 6:00 p.m. – Short term rental ordinance/ personnel policy manual review.

Public Works Committee – Tuesday, March 23 at 7:00 pm - Public Hearing 2021 Street Program.

New Business

Consideration of Bids –North Fort Thomas Ave. Sidewalk: Bids were received and publicly read on Friday, January 29th at 11:00 p.m. in the Armory. The city received six (6) bids ranging from \$430,425.00 from TMS Construction to \$594,719.59 from Adleta Construction. TMS has performed numerous sidewalk contracts for the city over many years, most recently Burney Lane and Vernon Lane sidewalk replacement projects. Staff recommends acceptance of the lowest bid submitted by TMS Construction in the amount of \$430,425.00. A motion was made by Mr. Bezold and seconded by Mr. Pendery to accept the low bid from TMS Construction in the amount of \$430,425.00. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Consideration of Bids – 2020 Street Resurfacing Program: The 2020 Street Resurfacing Program was deferred due to Covid 19 and will be completed by June 30, 2021. Bids were received and publicly read aloud on Friday, February 12th at 2:00 pm in the Armory. The city received three bids as follows: Riegler Blacktop, \$417,747.65; Eaton Asphalt \$469,095.50; Paul Michels & Sons, \$605,392.25. The original Engineer’s estimate was \$491,197.00. Staff recommends accepting the low bid of \$417,747.65 submitted from Riegler Blacktop. A motion was made by Mr. Bowman and seconded by Mr. Bezold to accept the low bid from Riegler Blacktop for \$417,747.65. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Consideration of the 2021 Street Resurfacing /Capital Program: The Public Works Committee of Council met with staff on Wednesday February 10th to review and consider options for the 2021 Capital

Improvement Program. In addition to the traditional street program the committee reviewed/updated the sidewalk program with recommendation for re-adoption. Mr. Bowman read the Committee's recommendations for the record.

We the undersigned members of the Public Works Committee of Council hereby report that we have met with city staff on Wednesday February 10, 2021 to review and develop the city's 2021 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 2021 street improvement program includes the following streets:

1. Waterworks Road
2. Wilbers Lane

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 Waterworks Road because it is classified as a collector street. The assessments for Wilbers Lane reconstruction is calculated on the equivalent cost for a curb replacement and asphalt overlay cost estimate only. Revenue from special assessments to abutting property owners is estimated to generate approximately \$85,200.

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 \$6,300. Additionally, the committee reviewed and offers for re-adoption the city's *Sidewalk Improvement Plan* with a proposed five year replacement program incorporated.

The Capital Program budget also provides an allocation of \$30,000 for participation in the Sanitation District No 1 cost share programs. These programs allow the city to address flooding issues on public right of way under a 50/50 program and public/private issues on a 1/3 cost share program.

The Capital Program also includes funds estimated at \$75,787 for constructing raised medians, centerline & edge striping on Chesapeake Ave. These improvements are partially reimbursed through a grant offer of \$23,000 from the Devou Good Foundation and their Vision Zero program.

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 2021 Capital Improvement Program and related fund activity is \$653,620 apportioned as follows:

- Roadway Improvements \$487,533
- Sidewalks/Driveways/curb \$ 6,300
- Contingency / Miscellaneous \$ 10,000
- Engineering – CT Consultants \$ 44,000
- SD1 Cost Share programs \$ 30,000
- Chesapeake Ave – Grant match \$ 75,787

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 2021 Capital Improvement Program.

Ms. Grubbs asked about the Vision Zero program and its status. Mr. Dill indicated that the city and the City of Newport are working on a resolution that will likely be presented at the March meeting.

A motion was made by Mr. Bezold and seconded by Mr. Bowman to accept the recommendations from the Public Works Committee of Council. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Consideration of Bids – Cell Tower Infrastructure Relocation: City staff has been working with Crown Castle who manages all the rights for collocation of utility providers on the cell tower located behind the city building. They have submitted competitive bids for providing relocation of the infrastructure to the tower that will allow for the construction of the addition on the rear of the city building. Their low bid is for \$145,990 for this work. As reported previously, terms of our easement and lease requires the city to cover the cost as it was initiated by our project. Mr. Dill explained that there will be additional cost to account for increased excavations to match finished grade. These costs should be included in the motion. A motion was made by Ms. Grubbs and seconded by Mr. Bezold to authorize the city to reimburse Crown Castle for cost of the relocation and authorize the mayor to execute easement documents and amended lease agreements to complete this project. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Discussion – Short Term Rental Ordinance: The issue of accepting short term rental/Airbnb/Bed & Breakfast uses in the city was brought before council last year. The matter was referred to the Ft Thomas Planning Commission for further discussion. The commission did extensive study on the issue over several meetings and held a public hearing on January 20, 2021 to consider a text amendment to the Official Zoning Ordinance. Their recommendation to accept short term rentals in various zoning districts & restrictions on parking is included in this packet. Their consideration also explored other issues involving further restrictions/guidelines necessary to permit these types of uses including licensing, inspections, etc. These standards would need to be prepared and established by adoption of a separate ordinance through city council as these aspects extend beyond the scope of a zoning ordinance. Staff has prepared sample language that addresses these remaining issues for consideration if council chooses to move forward. Staff would recommend consideration in the Law, Labor and License committee to review possible standards. Council can defer decision on the planning commission recommendation to be concurrent with their ordinance for creating additional requirements. A motion was made by Mr. Bowman and seconded by Ms. Grubbs to refer this matter to the Law, Labor and License Committee. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. 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 8818-8923 for the period of **January 18 – February 5, 2021** was presented to council for consideration. A motion was made by Mr. Bowman and seconded by Ms. Kelly to concur in the recommendation of the Finance Committee. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

Ordinances, Resolutions, and Orders

Municipal Order No. MO-01-2021: A Municipal Order was presented to council to re-appoint Casey Kilgore as Police Chief effective April 7, 2021. Chief Kilgore is an eligible re-hire under state statute and subject to an annual extension of his work agreement. A motion was made by Mr. Bezold and seconded

by Ms. Kelly to approve municipal order MO-02-2021. Upon call of the roll, the following members voted “aye”: Mr. Pendery, Mr. Bowman, Ms. Kelly, Mr. Bezold, Mr. Blau, and Ms. Grubbs. Voting “no” none. The motion passed by unanimous vote.

With no further business to come before council, the meeting was adjourned.

APPROVED:

Eric Haas, Mayor

ATTEST:

Melissa K. Beckett, City Clerk