

CITY OF CRESTVIEW HILLS, KENTUCKY
CITY COUNCIL SPECIAL CALLED MEETING MINUTES
TUESDAY FEBRUARY 12th, 2019
7:30 PM

I. CALL TO ORDER – Mayor Paul W. Meier called the meeting to order with the Pledge of Allegiance and silent prayer.

II. ROLL CALL – The roll was called, and a quorum was established.

(1) Mrs. Gronotte – present	(4) Mr. Sommerkamp - present
(2) Mr. Kramer – present	(5) Mr. Roesel - absent
(3) Mr. Dorsey – absent	(6) Ms. Luebbe - present

III. APPROVAL OF AGENDA – Mayor Meier noted the removal of an item under New Business. Mr. Sommerkamp made a motion to approve as amended; Mr. Kramer seconded. Motion carried all ayes, no opposing votes.

IV. APPROVAL OF THE MINUTES – Council was asked to approve the minutes of the Council meeting of Thursday, January 10th, 2019. Mr. Kramer noted two minor typos in the minutes. Mr. Kramer made a motion to approve as amended; Ms. Luebbe seconded. Motion carried all ayes, no opposing votes.

Mayor Meier then asked Council to approve the minutes of the special called Council meeting of January 26th, 2019. Mr. Sommerkamp made a motion to approve; Mr. Kramer seconded. Motion carried all ayes, no opposing votes.

V. CITIZENS & GUESTS – Mayor Meier welcomed two students from Dixie Heights High School.

VI. MAYOR’S REPORT – Mayor Meier reported the Kenton County Mayors Group would meet on Saturday, February 16th at 9:00AM at the Independence Senior Center.

VII. CITY ADMINISTRATOR’S REPORT – Mr. Williams reported the Architectural Review Board (ARB) held a meeting with the City’s mixed-use consultant to discuss the design exceptions within the designated mixed-use zones that require approval. He stated a follow-up meeting of the Council to complete the review of the Goals and Objectives for 2019-2020 will be held on March 16th, as well as a discussion of the gross receipts and net profits study.

VIII. OLD BUSINESS

IX. NEW BUSINESS

1. Ordinance 2019-02-01 – First reading of an Ordinance of the Crestview Hills City Council establishing application procedures and construction standards for the installation of small cell communication towers within the City of Crestview Hills. Mr. Williams stated at the December Council meeting, Staff recommended establishing regulations for aesthetic standards for small cell towers due to the new FCC regulations. He coordinated with Ms.

Stewart and Mayor Meier to develop regulations but noted Council may need to revisit the ordinance as cell towers are added within the City. The rollout of the next generation of cellular communications (5G) requires smaller and increasingly more, tens of thousands, cell towers. Mr. Williams stated he added language to the ordinance to address potential health concerns of the new rollout, including the City having no liability for potential impacts to health but the impacts will be the sole responsibility of the cellular companies. He noted Kenton County Planning & Development Services (PDS) prepared small cell tower regulations a few years ago, which included requiring sixty (60) days' notice from companies for co-location and ninety (90) days' notice for new locations. He stated PDS would review the applications, and the City would review the applications concurrently to ensure the cellular company met the City's design standards. Mr. Sommerkamp inquired the size of the small cell towers. Mayor Meier stated the small cell towers would be thirty feet (30') to forty feet (40'), whereas the current large towers are over one hundred feet (100').

Ms. Luebbe stated she understood the City is required to abide by federal regulations, and then inquired if there was a limit to the number of towers that could be located within the City. Mr. Williams stated the City cannot limit the number of cell towers, however the City would encourage companies to co-locate as well as restrict the number of feet one tower could be located adjacent to another tower. Ms. Luebbe inquired if cell towers could be located between two residential properties if it were in the public right of way. Mr. Williams stated a cell tower could be located between two residential properties within the public right of way. Ms. Luebbe stated the FCC does not regulate her main health concerns. She cited an example of a woman who worked directly with installation of cell towers who had detrimental impacts to her health as a result. Mayor Meier stated second reading of the ordinance would be at the next Council meeting.

2. **Ordinance 2019-02-02** – First reading of an Ordinance of the City of Crestview Hills City Council establishing a non-exclusive franchise for the use of the public streets, alleys and other public transportation corridors of the City for the transmission and distribution of natural gas through and for the consumption within the City; and providing the terms thereof. Ms. Stewart stated the current franchise agreement with Duke Energy was limited to one year, and the City has been operating on a month-to-month extension of that franchise. She stated with the establishment of the right-of-way ordinance the City needed to revisit the franchise agreement, incorporating that ordinance and establishing a new franchise. Ms. Stewart noted the second reading of this Ordinance would ask for bids from companies, Duke energy and etc., and ask for approval from the Public Service Commission (PSC), as well implement the three percent (3%) franchise fee, which the City currently utilizes, for ten-year period.
3. **Ordinance 2019-02-03** – First reading of an Ordinance of the City of Crestview Hills City Council establishing a non-exclusive franchise for the use of the public streets, alleys and other public transportation corridors of the City for the transmission and distribution of electricity through and for the consumption within the City; and providing the terms thereof. Ms. Stewart stated this ordinance is the same as Ordinance 2019-02-02 except it is in reference to electricity, not natural gas.

Mayor Meier stated second reading would be at the next regularly scheduled Council meeting.

4. **Resolution 2019-02-01** – A Resolution of the City of Crestview Hills City Council authorizing the Mayor to enter into a three year annually renewable contract for lawn and

landscaping services with GroundsPRO, LLC. Mayor Meier reported four (4) bids were received and Staff recommended the second lowest bid. Mr. Williams stated the award went to the overall best evaluated bid. Mr. Sommerkamp made a motion to approve; Ms. Luebbe seconded. Mr. Kramer recused himself from the vote as his firm represents one of the bidders. Motion carried with three ayes, and no opposing votes.

5. **Resolution 2019-02-02** – A Resolution of the City of Crestview Hills City Council authorizing the Mayor to enter into an agreement with the Northern Kentucky Water District for a 50/50 cost share on the re-paving of Druid, Warwick, and a portion of Rossmoyne Streets in the Old Crestview subdivision as a result of water line replacement projects in 2019. Mayor Meier stated the Northern Kentucky Water District is required to accept the lowest bid for the re-paving work. Mr. Williams noted City Staff felt comfortable with the company awarded the re-paving project due to their past work within the City. Mr. Kramer made a motion to approve; Mrs. Gronotte seconded. Mr. Sommerkamp abstained from the vote as his wife sits on the NKWD Board. Motion carried with three ayes, and no opposing votes.
6. **Resolution 2019-02-03**, A Resolution of the City Council of the City of Crestview Hills, Kentucky, approving the Mayor’s appointment of Ms. Margo Baumgardner for a four-year term on the Kenton County Planning Commission, ending December 31st, 2022. Mayor Meier reported Ms. Lynne Hood resigned from the appointment, and Mrs. Margo Baumgardner, who currently serves on the Economic Development Committee, would serve the remainder of the term. Mr. Kramer made a motion to approve; Mrs. Gronotte seconded. Motion carried all ayes, no opposing votes.

X. COMMITTEE REPORTS

- A. Public Works – Ms. Luebbe reported Lonkard Construction completed the Shinkle Road stream bank stabilization project on February 1st. Viox & Viox Engineers are completing the engineering work for the Parkway Drive street resurfacing project with plans and specifications available on February 18th and bids due on March 4th. The project will be awarded at the March City Council meeting with work beginning after July 7th.

Berling Engineers is performing engineering work for the reconstruction of Claiborne Ct., Lookout Farm Dr., and Darby Dan Ct. The timeframe for bidding the projects is undetermined. The reconstruction projects will not begin until after July 7th. City Staff is obtaining proposals for drainage and ditch repairs performed at the rear of the City building, and proposals to have the exterior City Building EIFS trim repaired and painted will be obtained soon.

Mayor Meier stated Berling Engineering provided two concept drawings for the Turkeyfoot Road project, the City presented the preferred plan to the Kentucky Transportation Cabinet (KYTC), and copies of the plan were provided to the Public Works Committee. Mr. Kramer commended Mr. Sommerkamp on his service as Chairman of the Public Works Committee.

- B. Finance – Mr. Williams reported the financials for January have been finalized but not yet reviewed. Mayor Meier stated the City recently received bids for banking services, and they are currently being evaluated by the subcommittee. Mr. Williams stated seven proposals were received, and the Finance Committee would have a recommendation for Council in March.

- C. Police Authority – Mr. Kramer reported the Board held their regular meeting on January 28th, Mr. Markgraf was named Chairman for 2019, Mr. Dorsey was named Vice-Chairman, and routine business was conducted as usual. Chief Schutte stated the Annual Report would be available at the next Board meeting and next City Council meeting.
- D. Safety Committee – Nothing to report.
- E. Fire/EMS – Chief Fuller reported the Ft. Mitchell Fire/EMS department had 166 total runs in January with 30 in Crestview Hills, 417 volunteer station hours in January, and 1007 total runs in 2018 with 281 in Crestview Hills. Ms. Luebbe noted the number of drug related incidents decreased.
- F. Development & Zoning – Mr. Kramer reported the City is currently scheduling a meeting to discuss small cell towers. Mr. Williams stated the Public Works Committee would discuss the small cell tower regulations, but the Economic & Development Committee would discuss short-term rental properties. He noted approximately ninety percent (90%) of responses in the Citizen Survey wanted regulations on short-term rental properties. Mr. Kramer stated short-term rental properties were currently unregulated within the City, and the Committee would focus on regulations for non-owner-occupied properties.
- G. CHEER& Recycling – Nothing to report.
- H. Recreation – Nothing to report.
- I. Personnel & Public Relations – Nothing to report.
- J. Telecommunications Board – Nothing to report.
- K. Communications – Mayor Meier reported the City’s most recent newsletter is available on our website.

XI. ADJOURNMENT – Mr. Kramer made a motion to adjourn; Mrs. Gronotte seconded. Motion carried all ayes, no opposing votes. Meeting adjourned at 8:06 PM.

APPROVED:

Paul W. Meier, Mayor

ATTEST:

Jaime Mahoney, City Clerk