

CITY OF CRESTVIEW HILLS, KENTUCKY
CITY COUNCIL MEETING AGENDA
THURSDAY APRIL 11th, 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.

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

III. APPROVAL OF AGENDA – Mayor Meier stated that an Executive Session should be added at the end of the agenda to discuss possible litigation strategy with the City’s Attorney. He stated additionally that the Executive Session may not be utilized depending on the outcome of information from the citizens and guests section of the agenda.

Mr. Dorsey made a motion to approve the agenda as amended; Mr. Kramer seconded. Motion carried with all ayes, no opposing votes.

IV. APPROVAL OF THE MINUTES – Council is asked to approve the minutes of the regular Council meeting of Thursday, March 14th, 2019 and the special called meeting of Saturday, March 16th. Mr. Roesel made a motion to approve the minutes of the regular meeting of Thursday, March 14th, 2019, seconded by Mr. Kramer. Motion carried unanimously. Mr. Kramer then made a motion to approve the minutes of the special called council meeting of Saturday, March 16th, as presented, seconded by Mr. Sommerkamp. Motion carried all ayes, no opposing votes.

V. CITIZENS & GUESTS

1. Mayor Meier recognized Coach Jeff Hans and the Thomas More University Women’s Basketball Team for winning the 2018-2019 NCAA Division III National Championship. Coach Hans said a few words of appreciation for the players and the community supporting the team, and had each player introduce themselves, with their year in school, hometown, and major. The team then got a standing ovation from the City Council and guests attending the meeting.
2. District 23rd Senator Chris McDaniel provided an overview and updates from the recently completed 2019 General Assembly session. Senator McDaniel noted several bills that he sponsored during the session, including a restructuring of the Northern Kentucky Convention and Visitors Bureau, the tax clean-up bill for non-profit admissions, a restructuring of the funding formula for Area Development Districts, and campaign filing deadlines and campaign finance reports. He was also involved with Senate Bill #1 improving school safety in the Commonwealth. Senator McDaniel also ran through a number of significant bills this session important to cities, including streamlining open records requests, providing more flexibility in investments for local governments, and increasing the minimum bid threshold to \$30,000 from the current \$20,000 limit.

Mayor Meier asked about pension reform, and if the reforms that were tossed out by the Kentucky Supreme Court might be reenacted during a special session that the Governor stated he would call after vetoing legislation passed in the session that was more narrowly focused on extending payments for quasi-governmental units such as Health Districts, Universities, etc. Sen. McDaniel stated that discussions were currently ongoing with the House and Senate leadership and the Governor's Office to draft a bill that everyone could agree to prior to calling the special session. Ms. Luebbe inquired about the current funding ratios, and how the increases will affect the quasi-governmental agencies.

Mr. Kramer thanked the Senator for all of his hard work on behalf of our City, Northern Kentucky, and the Commonwealth. He appreciates the Senator's work on the local investment bill, and looks forward to the opportunities better returns that might provide the City. He noted that Sen. McDaniel plays a key role in the legislature and we are lucky to have such a fine person representing this area.

Finally, Mr. Jim Keuhne, a resident at 112 Fraternity Court in Crestview Hills asked the Senator if he had any updates on the Turkeyfoot Road congestion project with KYTC. Sen. McDaniel stated that he did not currently have updated information on the project, but would check on it with the Transportation Cabinet and get back with the City. Mayor Meier stated that in his last communication with Rep. Sal Santoro, the contract for engineering of the project would not be completed until late June or July this year. City Administrator Williams provided some additional clarification that the City was concerned about this delay, and the fact that much of the current biennium budget might not get expended due to these delays.

3. Ms. Crystal Fedders, 120 Vernon Drive

Ms. Fedders spoke to the City Council regarding the recent development on Kenton Lands Road in the City of Erlanger that backs up to her subdivision (Old Crestview). She stated her concern and the concerns of the residents in Old Crestview about the proposed 300,000 sq. ft. development of an industrial warehouse abutting Vernon Drive. Ms. Fedders recounted when she first learned about the development, and the meeting she had with Erlanger Mayor Jessica Fette and their Economic Development Director. She also presented a petition to the Crestview Hills City Council stating opposition to the development, based on its close proximity to homes, and traffic, noise, pollution, and safety issues. Ms. Fedders noted that she received a letter from the Erlanger Building Inspector noting that all zoning requirements were being complied with for this project.

Councilmember Kramer stated that he has been on the Crestview Hills City Council for twenty years, and recounted the City's earlier fight with Duke Energy for a bio-fuels plant in this same area. He supports the City doing anything feasible to support our residents in minimizing harm from the development. He also stated displeasure with the City of Erlanger for encouraging such a development, particularly with limited setbacks from a residential area.

Mr. Bill Scheben, at 132 Sunset expressed his concerns to the Council, particularly about the minimum lot size for an IP-1 development and the fact that Erlanger is seemingly utilizing a section of their zoning code to not require a setback due to a phantom rail line spur. He also stated that it was difficult to hear the presenter at the Erlanger meeting.

Mr. Ed Wise, 128 Vernon Drive, expressed concern about the suddenness of the development and lack of forewarning from either Erlanger or Crestview Hills. He thought that the City of Crestview Hills should be more aware of potential developments around them in other cities. His major concerns were related to excess lighting spilling into his property, the noise of semi-trucks 24/7, and possible fire hazards depending on the type of materials that will be shipped in/out of the facility. It could even be toxic or hazardous materials.

Mr. J. Zang, 108 Vernon Drive, asked if the City still retained the sound study from the proposed Duke Energy project. He thought this could be utilized in assessing compliance with Erlanger's own zoning and nuisance codes. He also stated that Crestview Hills should ensure that the development will follow all of the zoning regulations in Erlanger, including screening of the facility and noise and light abatement.

Mr. Gene Cordier, 122 Vernon Drive, believed that the City of Erlanger is complicit in rushing through this development and doesn't really care about the adjoining residents in Crestview Hills. He believes the size of the facility is far too large for the location, and is particularly incensed that the loading docks will face the rear of the building, closest to the rear yards along Vernon Drive. There will be multiple trucks pulling in and out of the property and loading/unloading on the docks at all times. The back doors of our homes will be 115 foot from the driveway into the loading docks (the driveway is adjacent to the railroad right of way). Mr. Cordier stated that he believes that Erlanger is hiding behind the zoning code, and has little concern for the impact to residential properties.

Mr. Chris Rabe, 124 Vernon Drive, objected to the way the building was oriented, placing the drive bays in the rear towards the residential properties. Mr. Robbie stated that this development will have a negative effect on the entire subdivision, not just the homes on Vernon Drive.

Adam Berger, 130 Vernon Drive, requested the City communicate with the residents on timelines on this development. Mayor Meier stated that the City of Erlanger had not communicated a timeline with Crestview Hills to-date. Mr. Berger spoke about planting screening on his property, and the value of understanding the timeline of the project.

Mayor Meier then spoke about the development. He stated that he had discussed the property with the former owners when they began to clear the first sections of trees. Mr. Long indicated to the Mayor that they were just clearing some trees off the land for speculation, but that no particular project was on the horizon. The Mayor stated that according to Erlanger, there are currently no tenants signed for the proposed building at this time.

Ms. Fedders stated that according to the website of the company developing the property it will be available by the first quarter of 2020.

Mr. Scott Hull, 11 Winding Way, noted that he is in the business of designing commercial and industrial buildings and was disappointed in the setbacks and orientation of this building in relation to a long standing residential neighborhood. Mr. Hull asked about the relationship between Crestview Hill and surrounding cities, particularly as it relates to development. He further stated the Crestview Hills City officials have a responsibility to the residents and landowners to monitor other cities' development and work with them to minimize negative impacts to our community.

Mayor Meier stated that the cooperation with the City of Erlanger has not been as productive as would be desired. He used the example of a zone change in 2016 by the City of Erlanger to the old Palm Beach building on Kenton Lands. Erlanger changed the zoning to allow outdoor storage on the site, which was a noise and visual issue for residents on Summit Drive. Although the Mayor and a number of residents on Summit appeared at the Erlanger Council meeting, there seemed to be little sympathy for the residents' concerns.

Mayor Meier then stated that the City will look further into the development and suggest possible changes to the City of Erlanger and developer that could minimize impact on the adjoining property owners. City Attorney Mary Ann Stewart discussed the Duke Energy project several years ago and how that project and the City's ability to fight it were different than in the current situation. Mayor Meier then stated that the City will develop an email mailing list of residents in Old Crestview Hills to contact as we get more information on the project.

Ms. Lila Reynolds, 114 Winding Way, wanted to note that the effects of the building will extend beyond the site with large semi-trucks on Dixie Highway. She inquired as to whether Erlanger or the State Transportation Cabinet could require the trucks use Kenton Lands and Dolwick Drive to enter/exit the interstates.

- VI. **MAYOR'S REPORT** – Mayor Meier reported that the next Kenton County Mayor's group meeting will take place on Saturday, April 20th at the Ft. Wright South Hills Civic Club beginning at 9:00 am.
- VII. **CITY ADMINISTRATOR'S REPORT** – Mr. Williams reported that the new Administrative Assistant for the City, Stacy Corwin, had started work this week. We anticipate City Clerk Jaime Mahoney will return in June on a limited basis.
- VIII. **OLD BUSINESS** – No old business.
- IX. **NEW BUSINESS**
 - 1. **Resolution 2019-04-01** – A Resolution of the City of Crestview Hills City Council authorizing the Mayor to enter into a contract with JPS Construction for the reconstruction of a portion of Lookout Farm Drive and Claiborne Court in the Lookout Farm Subdivision.

Mr. Williams provided the Council background on the project to reconstruct portions of Lookout Farm Drive, Claiborne Court, and Darby Dan next year. He explained that with initial budget concerns, Claiborne Court and Darby Dan Court were bid as alternates. However, as we have gotten better budget numbers during our budgeting process this spring, it appears the City can now afford to include all three in the bid award.

Mr. Williams explained to the Council that in order to fund the additional \$87,350, that some of the excess funds for Lookout Farm from the current year will be carried over into next year (\$50,000), with the additional funds coming from next year's revenues and fund balances.

Mr. Roesel stated that he was concerned about the City's revenues and worried that the additional street could create a financial strain on the City's budget. Mr. Williams explained to the City Council that the City currently has approximately \$3,000,000 in fund balance, which equates to almost 80% of the annual operating budget. Additionally, we anticipate

there will be a positive carryover of excess revenues over expenditures of \$100,000 based on current projections, into next year. He indicated, as detailed in his memorandum to the Council, that the additional \$87,000 would not create a strain on the current or proposed budget next year, and was a wise use of funds to continue the Council's desire to invest in City infrastructure. Mr. Sommerkamp noted that if we delay Darby Dan, the cost will only be higher for the next construction cycle in 2020. Mayor Meier also clarified that it would be better from an Engineering standpoint to include Darby Dan, since we will be digging out Lookout Farm into the entrance to Darby Dan.

Mr. Kramer indicated that he was satisfied that the City's current fund balance could accommodate the additional street, and made a motion to approve the contract with JPS, adding Darby Dan Court. The motion was seconded by Mr. Sommerkamp. Mayor Meier called for the vote, with Mr. Kramer, Dorsey, Sommerkamp, and Ms. Gronotte voting in the affirmative. Mr. Roesel and Ms. Luebbe abstained from the vote. Contract with JPS Construction approved.

2. Council discussion of City Building Conference Room name designation.

Mayor Meier requested Mr. Sommerkamp provide information on his request. Mr. Sommerkamp stated that the large conference room in the City Building adjacent to the Council Chambers does not have an official name, and is referred to by a number of different names, including meeting room, Christmas Dinner room, Voting Booth Room, Council Chambers extension, etc.

Mr. Sommerkamp then noted that Mayor Meier has contributed so much to our community over the past twenty years as Mayor, and the prior three terms on City Council. He thought that it was only fitting that the room be properly named as the "Paul Meier Meeting Room" going forward.

Mr. Sommerkamp then made a motion to name the meeting room as noted above. Mr. Dorsey seconded that motion. All councilmembers were in favor of the motion. City staff will mount a plaque on the wall leading to the meeting room designating it as the Paul Meier meeting room.

3. Council approval of City Goals and Objectives for 2019-2020.

Mayor Meier noted that the Council has just completed the goal setting process for the council term, and finalized the high and secondary priorities for the City. The Council will now formally adopt the Goals and Objectives to help guide initiatives and budgets over the next two years.

A motion was made by Mr. Roesel, and seconded by Mr. Dorsey to approve the Council Goals and Objectives, as presented. All in favor of the motion to approve. The Goals and Objectives will be listed on the City's website and updated periodically by City staff.

X. COMMITTEE REPORTS

- A. Public Works – Ms. Luebbe reported that the resurfacing of Parkway Drive will begin after August 5th. This follows the installation of a new water main on the street by the Northern Kentucky Water District. Ms. Luebbe also reported that the reconstruction of a portion of

Lookout Farm Drive, Claiborne Court, and Darby Dan Court will begin in July, following the Fourth of July holiday. She also reported that the Shinkle Road sidewalk replacement work would be completed by Friday, and Rector Excavating completed the work on the new foundation drains on the back of the City Building.

- B. Finance – Mr. Roesel reported the bank reconciliations were completed and everything was in good order. The City is awaiting tax receipts for the first quarter of 2019 to gauge our payroll tax revenues with the new tax rate. Net Profit returns are usually received in May and June each year. However, we are currently on target for all of our revenue sources this year. The Finance Committee will meet on Monday, April 29th to review the Mayor’s proposed budget for FY 2019-2020.
- C. Police Authority – Mr. Dorsey reported the Police Authority Board held its regular meeting on February 25th, paid bills, and reviewed the proposed budget for FY 2019-2020. The Board adopted a Resolution commending Patrolman Reuhl for saving a life through her quick actions with an AED machine. The Board also learned that Patrolman Chapman and Reuhl taught a RAD class in March for students at Thomas More University and residents in both communities; the Department assisted with a level III active threat class at St. Pius in Edgewood, and that one of the new police cruisers is now in service.
- D. Safety Committee – Mr. Dorsey noted that the Safety Committee had not meet since the last meeting, but would likely meet again this summer.
- E. Fire/EMS – Chief Amon reported Edgewood Fire/EMS had 14 runs in Crestview Hills in March for fire, and 30 runs for EMS services. The Department continues to actively seek volunteers to join the Department. They have scheduled spring hydrant flows with the Northern Kentucky Water District beginning Monday, April 22nd.

Asst. Chief Jansing reported Fort Mitchell Fire/EMS had 26 fire and EMS runs in Crestview Hills for March, and the Department is preparing for spring hydrant flushing and flow testing. He also reported on a unique EMS run earlier in the week on Summit Drive related to an overdose.
- F. Development & Zoning – Mr. Kramer reported the Committee met on March 27th to review possible regulations for short term rentals within the community. The Council can expect to see an Ordinance in the next few meetings.
- G. CHEER & Recycling – Ms. Gronotte reported that the CHEER Committee will be meeting on April 30th to review the Rumpke contract renewal option and to hear about the current state of the plastic recycling market from our Rumpke representative.
- H. Recreation – Nothing to report.
- I. Personnel & Public Relations – Nothing to report..
- J. Telecommunications Board – Mayor Meier noted that the City was looking at possible alternatives to move along the franchising for Charter/Spectrum. The current franchise has elapsed and been on a month to month renewal for over five years.

K. Communications – Mayor Meier noted the latest edition of the Eagle’s View was available on the City’s website. Residents interested in receiving the electronic copy may sign up with the City with their email address

XI. **EXECUTIVE SESSION** - Mayor Meier noted that no Executive Session would be necessary at this time.

XII. **ADJOURNMENT** – Mr. Kramer made a motion to adjourn; Mrs. Gronotte seconded. Motion carried all ayes, no opposing votes. Meeting adjourned at 8:47 PM.

APPROVED:

Paul W. Meier, Mayor

RECORDED:

Tim Williams, City Administrator

ATTEST:

Jaime Mahoney, City Clerk