

**CAMPBELL COUNTY FISCAL COURT
MINUTES**

OCTOBER 19, 2016

A regular meeting of the Campbell County Fiscal Court was held on Wednesday, October 19, 2016 at 5:30p.m. at the Campbell County Administration Building, Fiscal Court Chambers, 1098 Monmouth Street, Newport, Kentucky.

In attendance at the meeting were:

COUNTY JUDGE/EXECUTIVE
STEVE PENDERY

COUNTY COMMISSIONERS
CHARLIE COLEMAN
TOM LAMPE
BRIAN PAINTER

Steve Franzen	County Attorney
Matt Elberfeld	County Administrator
Kim Serra	Assistant County Administrator
Marie Schenkel	Finance Director
Paula Spicer	Fiscal Court Clerk
Frank Spataro	Human Resources Director
Seth Cutter	Economic Development Manager
Lieutenant Dennis Lehmkuhl	Campbell County Police Department

The meeting was called to order at 5:30 p.m. by Judge Pendery. Cable Access was present to film the meeting.

Judge Pendery asked for a moment of silence followed by the Pledge of Allegiance. Following roll call, a quorum was declared present.

Minutes from the Fiscal Court regular meeting of October 5, 2016 were presented. Commissioner Lampe made a motion to adopt the minutes, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Tom Guidugli, Executive Director of Neighborhood Foundations, announced that the Northern Kentucky Scholar House was presented the National Presidential Award at the national CDBG Association. The Presidential Award is the highest award in the nation for CDBG (Community Development Block Grant) projects. This is the first time in its 50-year history that the award was presented to a Kentucky project. Mr. Guidugli thanked the Fiscal Court for its support of the project by securing CDBG funds. He explained the purpose of the Scholar House which is one of seven in the Commonwealth of Kentucky. It has been very successful in the year that it's

been in operation. Judge Pendery congratulated Mr. Guidugli and stated that Northern Kentucky is fortunate to have many people and agencies support the project. At Commissioner Painter's request Mr. Guidugli then provided an update on the 118-unit senior citizens housing project under construction in Highland Heights. Commissioner Lampe congratulated Mr. Guidugli – he had a tour of the Scholar House and was impressed.

Seth Cutter, Economic Development Director, advised that since Tri-ED was unable to attend the meeting, he would provide an update on a project that is crucial to economic development efforts in the County and cities regarding analyzing sites that are ready for development. He stated that there have been lists and inventories of sites, but adding more data would be helpful if a developer called. Tri-ED has done a similar project in Kenton County. He explained the goal is to catalogue parcels that are ready immediately for industrial development as well as short and long term commercial and industrial development. The site analysis will be done in three groups: County-wide industrial sites, sites north of I-275 and sites outside of I-275. Mr. Cutter addressed questions and comments from the Fiscal Court regarding barriers to development in Campbell County such as topography and sewer infrastructure, the need for an east-west corridor in the southern part of the County, KY 536 rehab project through Campbell and Kenton Counties, lack of funds for highway projects, estimated cost of sewer infrastructure and zoning. Mr. Cutter then talked about the \$3.3+ million grant funds from OKI for curb and sidewalk improvements on Monmouth Street from 11th Street south to the Southgate City limit and the \$860,000 grant to the City of Dayton for the next section of Riverfront Commons project.

Judge Pendery called on individuals who had signed up to address the Fiscal Court.

Jim Cole, Southgate resident, reiterated his opposition to the policy to sign in at the beginning of the meeting in order to speak. He is concerned that there is no opportunity for citizen involvement. It makes him feel like there is no interest in the concerned citizen's point of view in the decision-making process among other things. He would like to have his comments reflected in the minutes so that they are on the record.

Jeff Gemmer, owner of Liberty Plastics Molding in Bellevue, Kentucky, which is within the proposed TIF District addressed the Fiscal Court regarding his concerns about the TIF District including lack of notification and information and misrepresentation of his property's value. Mr. Gemmer requested that the Fiscal Court not pass its ordinance without getting more facts about the TIF. He stated that all but one property owner in the industrial park presented a petition to the Bellevue Council to remove the industrial park site from the TIF District. Mr. Gemmer believes that his property has been listed for sale and that he will have to find another location for his business. He further stated that his property is not 50% blighted and therefore does not meet the criteria for a TIF district. Rob Pitts, owner of Karen's Pittstop on Berry Avenue, agreed that they were not notified about the public hearing until the day before. He stated that his property has been misrepresented and painted in a bad light which will stay with the property for years. His property was originally labeled as a brownfield, and the City said that it will change that designation. Keith Spoelker, Bellevue City Administrator, responded to Messrs. Gemmer and Pitts comments about misrepresentation and notifications. He stated that it is not the City's intent to take property, but to assist current or future property owners with future development. At this time the TIF does not include state revenue. Judge Pendery pointed out that Campbell

County has participated in TIF districts in Highland Heights and Newport. Commissioner Coleman stated that he has talked to Bellevue Mayor Riehl and also to two councilmen who are opposed to the TIF. He stated that the business owners need assurances that their businesses are not going to be taken for the TIF District and that this is being done to help them, not hurt them. Mr. Spoelker stated that the City has no intention of using its eminent domain powers. Steve Franzen stated that the TIF has nothing to do with eminent domain powers that the City already has; the designation of the properties does not give the City an advantage in the event that it may exercise eminent domain in the future. Commissioner Lampe thanked Seth Cutter and Jody Robinson for explaining the provisions of the TIF District and its benefits to him. Commissioner Painter stated that as a small business owner himself, he understands the concerns of Messrs. Gemmer and Pitts. He asked what they would like the County to do. Commissioner Painter then asked Mr. Spoelker to explain about the duties and composition of the control board for the TIF and if Messrs. Gemmer and Pitts could be on the board. Mr. Gemmer stated that he would like the industrial park to be left out of the district and asked that the Fiscal Court put its ordinance on hold. Judge Pendery stated that the TIF district is already in force due to the passage of Bellevue's ordinance, the County was only asked to participate in it. He stated that the County needs to take this issue at face value as described by the Bellevue administration after the Council approved it. He stated that the property was described the way it was to show that there are qualifying properties for the TIF; they want to see improvements in the areas. Commissioner Coleman stated that he agrees to a point, but he has a problem when the government says it knows what's best for property owners. He asked if these properties could be removed from the District if the owners don't want to be in it. Mr. Spoelker stated that the ordinance was passed with the industrial zone properties included. It was noted that the County has two appointments to the TIF Incentive Review Committee. Mr. Pitts stated that he would be willing to serve on the Committee. Jody Robinson, Bellevue Assistant City Administrator and resident, explained the reason the City Council adopted the TIF and its benefits to the City of Bellevue.

Ordinance O-16-16 was read by title for a second reading. O-16-16 approves the execution of a Local Participation Agreement relating to the establishment and implementation of a Development Area Tax Increment Financing District known as the Bellevue Improvement District Development Area within the City of Bellevue, Kentucky. Judge Pendery stated that the right thing to do is to support the City of Bellevue just as they have supported the Cities of Highland Heights, Dayton and Newport in their TIF's. Judge Pendery made a motion to adopt O-16-16. Mr. Gemmer reiterated his argument that his property was misrepresented so that it would be passed in Frankfort and in Campbell County. Commissioner Lampe stated that it is not the Fiscal Court's role to supersede a decision made on the local/city level. He clarified that the Fiscal Court's action is just to participate on the County level; voting No on it would not stop the TIF. Mr. Franzen stated the he understands that if the local governments do not participate then the State is unlikely to participate. Judge Pendery stated that the property owners' recourse is with the Bellevue City Council. Judge Pendery's motion was seconded by Commissioner Lampe. Commissioner Coleman requested a roll call vote. Commissioner Coleman abstained. Commissioner Lampe voted "AYE". Commissioner Painter asked that Judge Pendery consider putting Mr. Pitts on the Review Committee and asked for Mr. Pitts contact information. He then voted "AYE" explaining that if they voted "No" there would still be a TIF. Commissioner Painter stated that the TIF will generate more revenue for the City. He hopes that Mr. Pitts will be appointed to the Review Committee, however his "AYE" vote is not contingent upon that

appointment. Judge Pendery voted “AYE” stating that he will talk to the City of Bellevue and that he will make an appointment to the Committee that makes the best sense overall, but Mr. Pitts will be considered. The motion passed. Judge Pendery thanked all for their input.

Old business was presented with a second reading of Ordinance O-13-16 by title and summary. O-13-16 updates the Official County Maintained Road List in Campbell County, Kentucky for Cold Stream Road. Commissioner Lampe made a motion to adopt O-13-16, seconded by Judge Pendery. Commissioner Coleman stated that he and Ms. Serra talked about this road and he has learned that Ripple Creek did go up past Meijer’s at one time. He thinks that this was before US 27 and the old state route was used for a north-south corridor. All voted “AYE” and the motion passed.

Ordinance O-14-16 was read by title and summary given. O-14-16 amends Chapter 73 “Traffic Schedules” of the Campbell County Code of Ordinances to add stop signs on Mallard Drive at Wigeon Drive and on Barrs Branch at Flagg Springs Pike (KY10). Commissioner Lampe made a motion to adopt O-14-16, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Ordinance O-15-16 was read by title and summary given. O-15-16 establishes a Property Assessment and Reassessment Moratorium Program as Section 34.65 of the Campbell County Code of Ordinances. Judge Pendery made a motion to adopt O-15-16, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

Ordinance O-17-16 was read by title and summary given. O-17-16 enacts and adopts the 2016 S-33 Supplement to the Code of Ordinances of the County of Campbell, Kentucky to include ordinances adopted between January 1, 2016 through June 30, 2016. Commissioner Painter made a motion to adopt O-17-16, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

New business was presented with a request for a motion to proclaim October 20, 2016 as Northern Kentucky Community Action Day in Campbell County in honor of the 50th anniversary of the Northern Kentucky Community Action Commission and in recognition of the services it provides to the residents of Campbell County. Motion was made by Commissioner Painter, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Sam Garvey to the part-time position of Kennel Technician effective October 20, 2016 with compensation set at pay grade 10, \$12.86 per hour. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Cindy Westerman to the part-time position of Kennel Technician effective October 20, 2016 with compensation set at pay grade 10, \$12.86 per hour. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to advance Police Officer Christopher Lauer from Grade 3 (\$20.60 per hour or \$42,848 annually) to Grade 4 (\$21.63 per hour or \$44,900 annually) effective November 24, 2016 in accordance with the current Fraternal Order of Police working agreement. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to appoint Roselyn A. Lutjen to the Administrative Assistant/Intake Specialist position in the Housing Department effective October 20, 2016 with compensation set at pay grade 12, \$17.50 per hour or \$31,850 annually with total benefit cost of \$14,354.27. Motion was made by Judge Pendery, seconded by Commissioner Lampe. All voted “AYE” and the motion passed.

A motion was requested to reappoint J C Morgan to the Northern Kentucky Community Action Commission Board for a three-year term effective August 1, 2016 through July 31, 2019. Motion was made by Judge Pendery, seconded by Commissioner Coleman. All voted “AYE” and the motion passed.

Matt Elberfeld stated that the Fiscal Court previously authorized staff to seek third party management proposals for A J Jolly Golf Course. Prior to seeking proposals, staff contacted two golf course operators already working for governments in northern Kentucky – Billy Casper and Davey. Davey was not interested, so staff provided information about the golf course to Billy Casper who submitted a preliminary proposal. After a review the proposal, it was determined that many of their recommendations could be implemented by the County. One of the recommendations was to reduce the number of full-time employees at the golf course. Mr. Elberfeld recommended that the County first try to implement some of the changes before considering a third party manager. Staff found no benefit to turning over control of the golf course and paying a management fee for things that the County could do itself. He stated that one area staff believes is overstaffed in the golf course maintenance area. There are currently three full-time employees – a head greens keeper and two maintenance specialists. Mr. Elberfeld presented Resolution R-97-16 eliminating a Golf Course Specialist position and authorizing corresponding amendments to the Administrative Code. Judge Pendery made a motion to adopt R-97-16, seconded by Commissioner Painter. All voted “AYE” and the motion passed.

Mr. Elberfeld requested a motion to meet in executive session pursuant to KRS 61.810(1)(f) discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employee, member or student without restricting that employee’s, member’s or student’s right to a public hearing and KRS 61.810(1)(c) discussions of proposed or pending litigation against or on behalf of the public agency. He stated that the Fiscal Court will likely take action after the executive session. Motion was made by Commissioner Lampe, seconded by Judge Pendery. All voted “AYE”, the motion passed and the Fiscal Court met in executive session.

Commissioner Painter made a motion to adjourn the executive session, seconded by Commissioner Lampe. All voted “AYE” and the motion passed. The Fiscal Court reconvened in regular session at 7:30pm.

Mr. Elberfeld requested a motion to terminate the employment of Alex Benoit, Golf Course Specialist, effective December 9, 2016. Of the two Golf Course Specialists, Mr. Benoit has the least amount of service time with the County. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

A motion was requested to authorize the County Attorney to participate on behalf of the County, in the litigation that was discussed in executive session. Motion was made by Judge Pendery, seconded by Commissioner Painter. All voted "AYE" and the motion passed.

Commissioner Lampe announced that the City of Ft. Thomas came to an agreement with the Veterans Administration regarding the homes at the Fort. A lot of work has been done on this issue over many years. He congratulated Mayor Eric Haas and City Administrator Ron Dill; this will be a great project for the City.

Judge Pendery announced that the Campbell County Fiscal Court/Mayors meeting will be held on October 25, 2016 at 6:00pm at the Alexandria Community Center, 8236 West Main Street, Alexandria.

Judge Pendery announced that the Campbell County Fall Clean Up will be held on October 21 and 22, 2016 from 8am to 5pm at three locations: Campbell County Transportation Center, Pendery Park and the Campbell County Police Station.

Judge Pendery announced that the Spooktacular Halloween Event will be held at A J Jolly Park on October 22, 2016 from 2pm to 5pm. Costumes are encouraged! A suggested donation is \$5 per vehicle.

Judge Pendery announced that the Friends of Evergreen Cemetery will hold a "Spruce Up Evergreen" event on October 22, 2016 from 12:30 to 3:30pm, rain or shine, at the Cemetery, 25 Alexandria Pike, Southgate. The public is invited to help with general cleanup and beautification efforts at the Cemetery.

Marie Schenkel requested a motion to approve the claims and supplemental claims as presented for October 19, 2016. County Attorney Steve Franzen stated that he has reviewed the claims and determined that they all appear appropriate. Motion was made by Commissioner Lampe, seconded by Judge Pendery. Commissioner Coleman stated that he had the same question about storm water bills. Mr. Franzen stated that there are a couple of bills for storm water in A J Jolly Park. Commissioner Coleman stated that he is not opposed to paying the bills, but disagrees with the storm water bills for the park since the Sanitation District provides no service for it. Commissioners Lampe and Painter and Judge Pendery voted "AYE", Commissioner Coleman voted "NAY" and the motion passed.

There being no further business to come before the Fiscal Court, Commissioner Lampe made a motion to adjourn, seconded by Commissioner Painter. All voted "AYE" and the meeting adjourned at 7:35 p.m.

Attachments:

Ordinance O-16-16 Authorize Local Participation Agreement
Ordinance O-13-16 Update County Maintained Road List
Ordinance O-14-16 Amend Traffic Schedules Regarding Stop Signs
Ordinance O-15-16 Establish Property Assessment Moratorium Program
Ordinance O-17-16 Adopt Code Supplement
Resolution R-97-16 Eliminate Position
Claims and Supplemental Claims October 19, 2016

Approved:

STEVE PENDERY
Judge/Executive

Attest:

Paula K. Spicer, Fiscal Court Clerk